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Attorneys for Creditor
8 CHURCH OF SCIENTOLOGY INTERNATIONAL

9 UNITED STATES BANKRUPTCY COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11		) CASE NO. 95-10911 aj
12)
12	In re	) DECLARATION OF LAURIE J.
13		) BARTILSON IN SUPPORT OF
13		) CHURCH OF SCIENTOLOGY
14		) INTERNATIONAL'S MOTION FOR
14		) RELIEF FROM STAY
15	GERALD ARMSTRONG,)
15		) [11 U.S.C. §362(d)(1)]
16)
16		) DATE: May 25, 1995
17	Debtor	) TIME: 9:00 a.m.
17		) CTRM: Hon. Alan
18		) Jaroslovsky

1 LAURIE J. BARTILSON deposes and says:

2 1. My name is Laurie J. Bartilson. I am a partner in the
3 lawfirm Moxon & Bartilson, and one of the attorneys responsible for
4 the representation of the creditor Church of Scientology
5 International ("the Church") in this action. I am also one of the
6 attorneys of record for the Church in the case of Church of
7 Scientology International v. Gerald Armstrong, et al., Marin County
8 Superior Court Case No. 157680 (consolidated) ("the State Court
9 Action"). I have personal knowledge of the facts set forth in this
10 declaration and could competently testify thereto if called as a
11 witness.

12 2. In December, 1986, Armstrong and the Church entered into
13 a confidential settlement agreement ("the Agreement"). The
14 Agreement provided for a joint settlement with other cases, and the
15 exact portion of the settlement fund which Armstrong received was
16 determined in a secret agreement between Armstrong and his lawyer.
17 A separate agreement between Armstrong and his lawyer, which was
18 filed in the State Court Action, indicates that the amount
19 Armstrong received was \$800,000. A true and correct copy of the
20 separate agreement which was filed in the State Court Action is
21 attached hereto as Exhibit A.

22 3. In June, 1991, after giving away what remainder of his
23 1986 settlement, Gerald Armstrong sent a letter to Eric Lieberman,
24 an attorney representing the Church, offering to "settle" his
25 disagreement with the Church, and that of a South African
26 plaintiff, for an unspecified amount of money. A true and correct
27 copy of that letter is attached hereto as Exhibit B.

28 4. In February - May, 1992, while the Church's initial

1 request for a preliminary injunction was pending, Armstrong
2 continued to breach the Agreement, as follows:

3 a. On February 19, 1992, Armstrong executed a
4 declaration for Reader's Digest concerning his claimed Scientology
5 knowledge and experiences for use in their anti-Scientology
6 litigation in Europe. He also sent a copy of this declaration to
7 Time magazine reporter, Richard Behar. A true and correct copy of
8 Armstrong's deposition testimony admitting these breaches [Vol.
9 III, pp. 397:12 - 398:4; Vol. IV, pp. 420:18 - 421:9] is attached
10 hereto as Exhibit C.

11 b. In February, 1992, Armstrong also met with anti-
12 Scientology attorneys James Rummonds and John Elstead and discussed
13 with them his claimed Scientology experiences and knowledge for
14 their use in the case of Steven Hunziker, et al. v. Applied
15 Materials, et al., Santa Clara Superior Court, Case No. 692629.
16 ("Hunziker"). A true and correct copy of Armstrong's deposition
17 testimony admitting these breaches [Vol. III, pp. 392:17 - 394:21;
18 Hunziker v. Applied Material, Inc., Santa Clara, Case No. 692629,
19 Vol. II, pp. 254:17 - 256:24] is attached hereto as Exhibit D.

20 c. On March 3, 1992, Armstrong appeared for deposition
21 as an expert witness on the subject of Scientology in the Hunziker
22 case, without a subpoena, in breach of the agreement. A true and
23 correct copy of Armstrong's deposition testimony admitting these
24 breaches [Id., Vol. II, pp. 326:2-11 - 330:6-11] is attached hereto
25 as Exhibit E.

26 d. On March 19, 1992, Armstrong sent a press release
27 concerning his claimed Scientology knowledge and experiences to
28 various media representatives. A true and correct copy of that

1 press release is attached hereto as Exhibit F.

2 e. On March 20, 1992, Armstrong was interviewed on CNN
3 concerning his claimed Scientology knowledge and experiences. A
4 true and correct copy of a transcript of that interview is attached
5 hereto as Exhibit G.

6 f. On April 13, 1992, Armstrong sent a letter to
7 attorneys Rummonds and Elstead describing further work that he had
8 done on the Hunziker case, and billing them \$1534.10 for his
9 services. A true and correct copy of that letter, produced by
10 Armstrong in discovery in the State Court Action, is attached
11 hereto as Exhibit H.

12 g. In April, 1992, Armstrong was interviewed by Bill
13 Horne, a reporter for American Lawyer magazine, concerning the
14 settlement agreement, in breach of the agreement. A true and
15 correct copy of Armstrong's deposition testimony admitting these
16 breaches [Vol. III, pp. 348:21 - 355:4] is attached hereto as
17 Exhibit I.

18 h. During these months, Armstrong accepted employment
19 from attorneys Ford Greene and John Elstead, as a paralegal in the
20 case of Aznaran v. Church of Scientology International et al.,
21 United States District Court for the Central District of
22 California, Case No. 88-1786 JMI(Ex). A true and correct copy of
23 Armstrong's deposition testimony admitting these breaches [Vol. VI,
24 pp. 634:13 - 640:7] is attached hereto as Exhibit J.

25 5. Less than a month after the May 28 Order was issued,
26 Armstrong asserted under oath in deposition:

27 "I have absolutely no intention of honoring that
28 settlement agreement. I cannot. I cannot logically. I
cannot ethically. I cannot morally. I cannot psychical-

1 ly. I cannot philosophically. I cannot spiritually. I
2 cannot in any way. And it is firmly my intention to not
honor it.

3 Q. No matter what a court says?

4 A. No court could order it. They're going to have
5 to kill me.

6 A true and correct copy of this portion of Armstrong's deposition
7 testimony [Vol. I, pp. 123:25 - 124:11] is attached hereto as
8 Exhibit K.

9 6. In fact, Armstrong did continue to breach the Agreement,
10 as follows:

11 a. On September 1, 1992, Armstrong sent a letter to
12 Robert Lobsinger of the Newkirk Herald discussing his claimed
13 experiences in and knowledge of Scientology. A true and correct
14 copy of that letter is attached hereto as Exhibit L.

15 b. On November 6, 1992, Armstrong attended a convention
16 of the Cult Awareness Network in Los Angeles, California. While at
17 the convention, Armstrong videotaped a 95 minute interview
18 concerning his claimed knowledge of and experiences in Scientology
19 with anti-Scientologists Spanky Taylor and Jerry Whitfield. A true
20 and correct copy of the transcription of that videotape is attached
21 hereto as Exhibit M.

22 c. On November 11, 1992, Armstrong gave an interview to
23 Marin Independent Journal reporter Richard Polito, in which he
24 disclosed some of the terms of his settlement agreement. For the
25 interview, Armstrong posed nearly naked with a globe clutched in
26 his arms, and advocated the renunciation of money as "valueness."
27 A true and correct copy of the resulting article is attached hereto
28 as Exhibit N.

1 7. On December 22, 1992, Armstrong sent a letter to Church
2 counsel, which he copied to 15 anti-Scientology litigants and their
3 attorneys, in which he threatened that if the Church did not pay
4 him \$500,000 and dismiss this lawsuit, he would travel to South
5 Africa to testify against a Church of Scientology, give interviews
6 to the media, and assist anyone and everyone opposing Churches that
7 he could locate. In that same letter, Armstrong stated:

8 There is also, as mentioned above, the fact that in
9 order to defend myself from your attacks and to fund the
10 defense of the litigation you have fomented I must speak
11 and must publish. I'm sure you understand that I remain
completely confident that no court, other than the odd
one your mercenaries are able to compromise with bucks,
babes or bull, will order me not to defend myself.

12 A true and correct copy of that letter is attached hereto as
13 Exhibit O.

14 8. Armstrong obtained a stay of the Breach Case in March,
15 1993, and continued to breach the Agreement, as follows:

16 a. On April 28, 1993, Armstrong arranged to appear on
17 KFAX radio in San Francisco to talk about his claimed experiences
18 in and knowledge of Scientology. A true and correct copy of
19 Armstrong's deposition testimony admitting these breaches [Vol. IX,
20 pp. 1108:6-24] is attached hereto as Exhibit P.

21 b. On June 4, 1993, Armstrong executed a declaration
22 detailing his claimed knowledge of and experiences in Scientology
23 which was filed by Daniel Leipold on behalf of defendant Larry
24 Wollersheim in the case of Church of Scientology of California v.
25 Lawrence Wollersheim, Los Angeles Superior Court Case No. C332027,
26 in breach of the agreement. A true and correct copy of that
27 declaration is attached hereto as Exhibit Q.

28 c. Also in June, 1993, Armstrong gave an interview

1 concerning his claimed Scientology knowledge and experiences to
2 reporters from Newsweek magazine. A true and correct copy of the
3 resulting article is attached hereto as Exhibit R.

4 d. On June 21, 1993, Armstrong, along with Wollersheim,
5 established a Colorado corporation called "Fight Against Coercive
6 Tactics, Inc. ("FactNet")." A true and correct copy of the
7 Articles of Incorporation of FactNet is attached hereto as Exhibit
8 S. Its purpose was to create a massive electronic "library" of
9 anti-Scientology materials to be used by Scientology critics and
10 anti-Scientology litigants. Armstrong provided FactNet with scores
11 of documents relating to his claimed Scientology experiences and
12 knowledge, all to be placed on FactNet's computer library. A true
13 and correct copy of Armstrong's deposition testimony admitting
14 these breaches [Vol. VII, pp. 919:15 - 922:24; Vol. VIII, pp.
15 953:11 - 959:11] is attached hereto as Exhibit T.

16 e. On June 24, 1993, Armstrong sent a set of anti-
17 Scientology documents, including documents from the Aznaran case,
18 to another of Wollersheim's attorneys, Mark Goldowitz. A true and
19 correct copy of Armstrong's letter to Goldowitz, produced by
20 Armstrong in discovery, which accompanied these documents is
21 attached hereto as Exhibit U.

22 f. On June 30, 1993, Armstrong contacted Newsweek, the
23 Los Angeles Times, Time, and the Daily Journal in an effort to
24 interest these publications in a story about Larry Wollersheim's
25 anti-Scientology activities. Attached hereto as Exhibit V is a
26 true and correct copy of Armstrong's letter to Mark Goldowitz,
27 produced by Armstrong in discovery, detailing these contacts.

28 g. In July, 1993, Armstrong spoke with reporter

1 Jennifer Cohen of the San Francisco Recorder concerning his claimed
2 knowledge of and experiences in Scientology. A true and correct
3 copy of Armstrong's deposition testimony admitting these breaches
4 [Vol. VII, pp. 854:5 - 855:11] is attached hereto as Exhibit W.

5 h. Also in July, 1993, Armstrong registered a treatment
6 for a screenplay with Writer's Guild and the copyright office. The
7 treatment is titled "One Hell of a Story" and details his claimed
8 experiences in Scientology. A true and correct copy of Armstrong's
9 deposition testimony admitting these breaches [Vol. VII, pp. 875:18
10 - 876:14] is attached hereto as Exhibit X. Armstrong wrote to his
11 friend, Larry Wollersheim, that he intended to have this screenplay
12 produced and that "this project, I think, will be where many of my
13 hours in the next couple of years will go and will bring me into
14 direct conflict with the Scientology organization on its beachhead
15 in Hollywood." A true and correct copy of that letter, which was
16 produced in discovery, is attached hereto as Exhibit Y.

17 9. On August 15, 1993, Armstrong sent a letter to my co-
18 counsel, Andrew Wilson, in which he maintained that his breaches of
19 the Agreement were not discrete, but rather a single, continuing
20 breach, which he would not end, saying:

21 [M]y breaching of the agreement has continued
22 unabated since 1990. It is my duty, therefore, to
23 continue that breach unabated until the agreement is
24 rescinded and no longer exists to be breached. This
25 letter also serves to advise you and your client to not
26 waste its victims "donations" sending around its camera-
27 totting PIs to try to catch me in an instant when I am
doing something other than my unbroken breach. If I am
not heard to be breaching the agreement at any moment, I
have not stopped doing so, but am just between words or
breaching in whisper. Even in my sleep, though I may not
be somniloquizing, I am in every instant breaching the
agreement.

28 A true and correct copy of this letter is attached hereto as

1 Exhibit Z.

2 10. While the Church waited for the Court of Appeal to
3 rule, Armstrong breached the Agreement at least 14 more times
4 between August, 1993 and May, 1994, as follows:

5 a. On August 5, 1993, Armstrong appeared on the
6 national television program, Entertainment Tonight, and spoke about
7 his claimed Scientology knowledge and experiences, in breach of the
8 agreement. A true and correct copy of a portion of the transcript
9 of that broadcast is attached hereto as Exhibit AA.

10 b. On August 23, 1993, Armstrong sent documents
11 concerning his claimed Scientology knowledge and experiences to
12 reporter Jennifer Cohen. A true and correct copy of the cover
13 letter which he sent with those documents, produced in discovery,
14 is attached hereto as Exhibit BB.

15 c. On August 28, 1993, Armstrong sent documents to
16 reporter Charles Fleming concerning his claimed Scientology
17 knowledge and experiences. A true and correct copy of the cover
18 letter which he sent with those documents, produced in discovery,
19 is attached hereto as Exhibit CC.

20 d. On August 31, 1993, Armstrong sent additional
21 documents concerning his claimed Scientology knowledge and
22 experiences to attorney Mark Goldowitz. A true and correct copy of
23 the cover letter which he sent with those documents, produced in
24 discovery, is attached hereto as Exhibit DD.

25 e. On September 28, 1993, Armstrong again sent
26 additional documents concerning his claimed Scientology knowledge
27 and experiences to attorney Mark Goldowitz. A true and correct copy
28 of the cover letter which he sent with those documents, produced in

1 discovery, is attached hereto as Exhibit EE.

2 f. On October 11, 1993, Armstrong sent a letter to the
3 editor of Premier Magazine in which he discussed his claimed
4 Scientology knowledge and experiences. A true and correct copy of
5 that letter, produced in discovery, is attached hereto as Exhibit
6 FF.

7 g. On November 5-8, 1993, Armstrong attended the Cult
8 Awareness Network convention, and spoke to people concerning his
9 claimed Scientology knowledge and experiences. A true and correct
10 copy of Armstrong's deposition testimony admitting these breaches
11 [Vol. VIII, pp. 966:7 - 967:22] is attached hereto as Exhibit GG.

12 h. In the winter of 1993, Armstrong met with anti-
13 Scientologists Vaughn and Stacy Young and discussed with them his
14 claimed Scientology knowledge and experiences. A true and correct
15 copy of Armstrong's deposition testimony admitting these breaches
16 [Vol. VI-A, pp. 777:5 - 780:18] is attached hereto as Exhibit HH.

17 i. In the winter of 1993, Armstrong agreed to provide
18 anti-Scientology litigant Ron Lawley with testimony and help for
19 his litigation in the United Kingdom. He provided Lawley with a
20 sworn statement about his claimed Scientology knowledge and
21 experiences, in breach of the agreement. A true and correct copy
22 of Armstrong's deposition testimony admitting these breaches [Vol.
23 VII, pp. 857:23 - 861:20] is attached hereto as Exhibit II.

24 j. In January, 1994, Armstrong had conferences with
25 Graham Berry, an anti-Scientology attorney representing defendant
26 Uwe Geertz in the case of Church of Scientology International v.
27 Fishman, et al., United States District Court for the Central
28 District of California, Case No. CV 91-06426 HLH T(x). During

1 these conversations, Armstrong discussed his claimed Scientology
2 knowledge and experiences with Berry, and agreed to testify against
3 the Church on Geertz's behalf. A true and correct copy of
4 Armstrong's deposition testimony admitting these breaches [Vol. VI,
5 pp. 787:5 - 789:5; Vol. VII, pp. 838:18 - 841:22] is attached
6 hereto as Exhibit JJ.

7 k. On January 27, 1994, Armstrong sent a letter to
8 Graham Berry, suggesting possible anti-Scientology witnesses to
9 help in the Fishman litigation. A true and correct copy of the
10 letter, produced in discovery, is attached hereto as Exhibit KK.

11 l. On February 20, 1994 Armstrong executed a lengthy
12 declaration detailing his claimed Scientology knowledge and
13 experiences, which was filed by Mr. Berry in the Fishman case. A
14 true and correct copy of that declaration is attached hereto as
15 Exhibit LL.

16 m. On February 22, 1994 Armstrong executed a second
17 lengthy declaration detailing his claimed Scientology knowledge and
18 experiences, which was filed by Mr. Berry in the Fishman case. A
19 true and correct copy of that declaration is attached hereto as
20 Exhibit MM.

21 n. On April 21, 1994, Armstrong executed a third
22 declaration concerning his claimed Scientology knowledge and
23 experiences which he gave to Mr. Berry for use in the Fishman case.
24 A true and correct copy of that declaration is attached hereto as
25 Exhibit NN.

26 11. During the summer of 1994, Armstrong continued to
27 breach the Agreement through media contacts, as follows:

28 a. On June 27, 1994, Armstrong was interviewed by Rick

1 Sine of the Pacific Sun concerning the Scientology and the
2 settlement agreement. A true and correct copy of Armstrong's
3 deposition testimony admitting these breaches [Vol. VI, pp. 658:15
4 -662:4; Vol. VI, pp. 664:18 - 665:12] is attached hereto as Exhibit
5 OO. A true and correct copy of the resulting article is attached
6 hereto as Exhibit PP.

7 b. On June 28, 1994, Armstrong was interviewed by
8 reporter Rick Cusick, from Gauntlet magazine, concerning his
9 claimed Scientology knowledge and experiences. A true and correct
10 copy of Armstrong's deposition testimony admitting these breaches
11 [Vol. VII, pp. 693:11 - 694:19] is attached hereto as Exhibit QQ.

12 c. On July 18, 1994, Armstrong sent a letter to the
13 editor of the Pacific Sun concerning his claimed Scientology
14 knowledge and experiences. A true and correct copy of the portion
15 of the letter which was printed by that newspaper is attached
16 hereto as Exhibit RR.

17 d. In August, 1994, Armstrong spoke to Tom Voltz, a
18 Swiss journalist, concerning his claimed Scientology knowledge and
19 experiences. A true and correct copy of Armstrong's deposition
20 testimony admitting these breaches [Vol. VIII, pp. 992:4 - 995:11]
21 is attached hereto as Exhibit SS.

22 e. On August 18, 1994, Armstrong discussed his history
23 in and with Scientology with Marsha Nix from the Disney Channel's
24 "You Be the Judge." A true and correct copy of Armstrong's
25 deposition testimony admitting these breaches [Vol. VII, pp. 848:9
26 -849:25] is attached hereto as Exhibit TT.

27 12. On February 1, 1995, just five days after Judge Thomas
28 awarded the Church damages, Armstrong sent a letter to the Church,

1 which he copied to the media, discussing his claimed Scientology
2 knowledge and experiences, and stating that he refused to stop
3 breaching the agreement. A true and correct copy of that letter is
4 attached hereto as Exhibit UU.

5 13. On March 21, 1995, I received a letter from Armstrong
6 by telefax, which stated in part, "[d]ue to a spiritual condition
7 which I am unable to control resulting in a psychological
8 incapacitation" he could not proceed with either his own
9 deposition, set for March 22, 1995, or that of witness Jerry
10 Solfvvin, set for March 23, 1995. Armstrong offered no alternative
11 dates, but requested that I "contact [him] in a few days to see if
12 these depositions can be rescheduled." A true and correct copy of
13 Armstrong's letter to me is attached hereto as Exhibit VV.

14 14. On April 5, 1995, Armstrong published a lengthy missive
15 on the Internet, in which he discussed his claimed Scientology
16 knowledge and experiences. A true and correct copy of this
17 publication is attached hereto as Exhibit WW.

18 15. On April 7, 1995, day that his oppositions to the
19 pending summary adjudication motions were due to be filed,
20 Armstrong sought another continuance of the hearing. Armstrong and
21 I appeared before the Honorable Gary Thomas. Judge Thomas denied
22 the requested continuance, telling Armstrong that "the time is up."

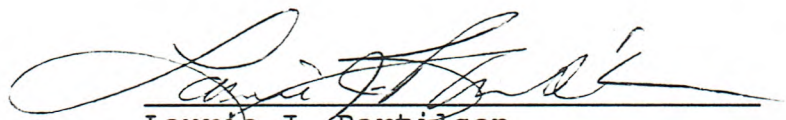
23 16. On April 17, 1995, ten days after his opposition to the
24 pending summary judgment motions were due, I received a large stack
25 of third party declarations from Armstrong. I called him, and asked
26 him if he had filed them with the court. He stated that he had
27 not, and that he expected to be filing these papers, along with
28 others opposing the summary adjudication motions, later in the

1 week, even though the hearing on the motions was set for April 21,
2 1995, and the time for filing any papers had passed. He also
3 stated that he would be available to reschedule his deposition
4 later in the week.

5 17. On April 18, 1995, Armstrong called my co-counsel, Andy
6 Wilson, and left a message that he wanted a continuance of the
7 hearings set for April 21. He said that if we did not agree to the
8 continuance, that he would be appearing ex parte on April 19, 1995,
9 before Judge Thomas to ask the court to grant him that relief. At
10 5:00 that day, he called Mr. Wilson's office again, and stated that
11 he would not be appearing ex parte after all.

12 I declare under the penalty of perjury under the laws of the
13 State of California and the United States of America that the
14 foregoing is true and correct.

15 Executed this 26th day of April, 1995, at Los Angeles,
16 California.

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18 
19 Laurie J. Bartilson
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28

1 LEWIS, D'AMATO, BRISBOIS & BISGAARD
2 DAVID B. PARKER
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6 1925 Century Park East
Suite 1260
Los Angeles, California 90067
7 (213) 551-2966

8 Attorneys for Amicus Curiae Joseph A. Yanny, an individual
and Joseph A. Yanny, a professional Law Corporation.

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 CHURCH OF SCIENTOLOGY)
13 INTERNATIONAL, A California)
not-for-profit religious)
14 corporation,)

15 Plaintiff,)

16 vs.)

17)
18)
19 GERALD ARMSTRONG and DOES 1)
20 through 25 inclusive,)

21 Defendants.)
22

No. BC 052 395

) DECLARATION OF GRAHAM E. BERRY
) TO ALL EVIDENCE IN SUPPORT OF
) AMENDED AMICUS CURIAE BRIEF IN
) OPPOSITION TO PLAINTIFFS' ORDER
) TO SHOW CAUSE RE PRELIMINARY
) INJUNCTION AND SUPPORTING
) EXHIBITS

) Date: May 14, 1992

) Time: 8:30 a.m.

) Dept.: 86

) [Filed concurrently with Joseph
) A. Yanny's Amended Amicus
) Curiae Brief]

23 I, Graham E. Berry, declare:

24 1. I am an attorney duly licensed to practice before
25 the courts in the state of California and I am a member of the law
26 firm of Lewis, D'Amato, Brisbois & Bisgaard, attorneys of record
27 for amicus curiae Joseph A. Yanny, Esq. in this action.

28 2. I have personal knowledge of the facts contained in
this declaration and could and would competently testify to those

1 facts if called upon to do so. As to those matters which are
2 stated to be upon information and belief, I believe them to be
3 true.

4 3. This declaration is offered in support of Joseph A.
5 Yanny's amicus curiae brief in opposition to plaintiffs' order to
6 show cause re preliminary injunction.

7 4. Attached hereto as Exhibit A is a copy of a document
8 entitled mutual release of all claims and settlement agreement
9 dated 12-6-86. ("The Armstrong Settlement Agreement.")

10 5. Attached hereto as Exhibit B is a copy of a document
11 entitled settlement agreement and bearing various dates in and
12 around December 6, 1986.

13 6. Attached hereto as Exhibit C is a copy of an order
14 dismissing action with prejudice dated December 11, 1986.

15 7. Attached hereto as Exhibit D is a copy of a minute
16 order entered December 12, 1986.

17 8. Attached hereto as Exhibit E is a copy of reporters
18 transcript of proceedings, December 11, 1986.

19 9. Attached hereto as Exhibit F is a copy of Reporters
20 transcript of hearing dated August 6, 1991 in Religious Technology
21 Center et al v. Joseph A. Yanny, et al. ("The Yanny II Injunction
22 Hearing").

23 10. Attached hereto as Exhibit G is a copy of a
24 memorandum of intended decision and accompanying minute order
25 dated June 22, 1984. ("The Breckenridge Decision in Armstrong
26 I").

27 11. Attached hereto as Exhibit H is a copy of the
28 complaint in Vicki Aznaran and Richard Aznaran v. Church of

1 Scientology et al. ("The Aznaran Complaint").

2 12. Attached hereto as Exhibit I is a copy of a
3 verified complaint in Religious Technology Center et al. v. Joseph
4 A. Yanny, ("The Yanny II Complaint").

5 13. Attached hereto as Exhibit J is a copy of the
6 verified first amended answer in Religious Technology Center et al
7 v. Joseph A. Yanny et al. ("The Yanny II Answer")

8 14. Attached hereto as Exhibit K is a copy of Reporters
9 Transcript of Proceedings, December 23, 1991. ("The Geernaert
10 Decision in Armstrong I")

11 15. Attached hereto as Exhibit L is a copy of a letter
12 and enclosure dated March 13, 1992 from Graham E. Berry of Lewis,
13 D'Amato, Brisbois & Bisgaard to Laurie J. Bartilson of Bowles &
14 Moxon requesting plaintiffs to release Gerald Armstrong from the
15 provisions of the Armstrong Settlement Agreement with regard to
16 Joseph A. Yanny.

17 16. Attached hereto as Exhibit "M" is a copy of a letter
18 from Gerald Armstrong to Eric Lieberman a Scientology attorney
19 dated August 21, 1991 complaining of harassment, surveillance and
20 terrorism.

21 17. Attached hereto as Exhibit N is a copy of reporters
22 transcript of proceedings dated March 3, 1992. ("The Dufficy
23 Decision").

24 18. Attached hereto as Exhibit O is a copy of a meet
25 and confer statement in Religious Technology Center et al v.
26 Joseph A. Yanny ("Yanny II") which explains the Yanny II
27 litigation and underlying facts.

28 //

1
2 19. Attached hereto as Exhibit P is a copy of a
3 Declaration of Gerald Armstrong Dated March 16, 1992.

4 20. Attached hereto as Exhibit Q are deposition
5 excer2pts from the Deposition of Gerald Armstrong taken on
6 Tuesday, March 17, 1992.

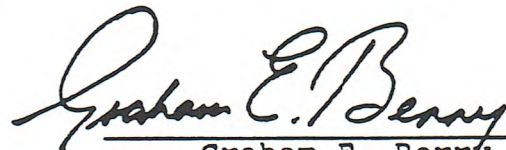
7 21. Attached hereto as Exhibit R are deposition
8 excerpts from the Deposition of Gerald Armstrong taken on April
9 7, 1992.

10 22. Attached hereto as Exhibit S is a copy of L. Ron
11 Hubbard's Technique 88 "Control and Lying".

12 23. Attached hereto as Exhibit T is a copy of
13 "Suppressive Person Declare Gerry Armstrong."

14 I declare under penalty of perjury under the laws of
15 the State of California that the foregoing is true and correct.

16 Executed this 7th day of May, 1992 at Los Angeles,
17 California.

18
19 
20 _____
21 Graham E. Berry
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SETTLEMENT AGREEMENT

Work
Copy

A. PRIOR SETTLEMENTS:

Settlement agreements made prior to November 1, 1986 and prior to the collective settlement stated below:

<u>Client</u>	<u>Amount</u>	<u>Fee and Expenses</u>
(1) Bears	\$115,000.00	To be determined with local counsel
(2) Garritys	\$175,000.00	To be determined with local counsel
(3) Petersons	\$175,000.00	To be determined with local counsel
(4) Jefferson	\$150,000.00	To be determined with local counsel
(5) Lockwood	\$150,000.00	To be determined with local counsel
(6) Hartwell	\$150,000.00	To be determined with local counsel
	<u>\$915,000.00</u>	To be determined with local counsel

B. INDEPENDENT SETTLEMENT:

The Christofferson-Titchborne settlement was made separate from the collective settlement. It was agreed to between attorney Gary McMurray, his client, Julie Christofferson-Titchborne and the Church of Scientology.

<u>Client</u>	<u>Amount</u>	<u>Fee and Expenses</u>
Christofferson-Titchborne	\$100,000.00	To be determined by attorney McMurray and client. None of the attorneys representing other clients in the collective settlement represent or have represented Christofferson-Titchborne.

C. COLLECTIVE SETTLEMENT:

The following cases/clients are part of a collective settlement made on December 11, 1986. The undersigned acknowledge that the settlement set forth above in Paragraphs A and B were made as separate settlements, meaning that the cases/clients listed in Paragraphs A and B agreed to the amounts stated therein prior to the collective settlement as in Paragraph A, and independent from the collective settlement as in Paragraph B. The total amount of the collective settlement is \$2,800,000.00. The total amount of the collective settlement and the prior independent settlements in Paragraphs A and B is \$3,815,000.00. The collective settlement allocation is as follows:

<u>Client</u>	<u>Amount</u>	<u>Fee and Expenses</u>
(1) Nancy Dincalet	\$ 7,500.00	None
(2) Kim Douglas	\$ 7,500.00	None
(3) " " "	" " "	" " "
(4) " " "	" " "	" " "

-2-

(3)	Robert Dardano	\$ 15,000.00	None
(4)	Warren Friske	\$ 15,000.00	None
(5)	William Franks	\$ 40,000.00	None
(6)	Laurel Sullivan	\$ 40,000.00	None
(7)	Edward Walters	\$100,000.00	To be determined between client and attorneys
(8)	Howard Schomer	\$200,000.00	To be determined between attorney Bunch and client
(9)	Martin Samuels	\$500,000.00	To be determined between attorney McMurray and client
(10)	Gerald Armstrong v. Church of Scientology	\$800,000.00	To be determined between attorney Bunch and client
(11)	Fees and expenses to attorneys Contos & Bunch, Robert Kilbourne, Michael Flynn, and associated counsel for the prosecution and defense of various cases including the "Hubbard documents" case, the "check- frame up" case and the defense of approximately 17 lawsuits against attorney Flynn and his clients.	\$500,000.00	To be determined between attorneys Contos & Bunch, Michael Flynn, Robert Kilbourne, and associated counsel
(12)	Flynn v. Ingram (No. _____) Flynn v. Hubbard (No. _____)	\$575,000.00 -0-	To be determined between attorney Flynn and his counsel
		\$2,800,000.00	

We, the undersigned, agree and acknowledge that

- (1) we have read the foregoing Settlement Agreement;
- (2) that we agree with the total settlement amount and the allocations to the respective cases/clients as set forth therein;
- (3) that we have either consulted, been advised to consult, or have had the opportunity to consult with attorneys other than Michael J. Flynn who, we acknowledge is also a claimant against the Church of Scientology and L. Ron Hubbard;
- (4) that we agree to maintain the confidentiality of this Settlement Agreement;
- (5) that we acknowledge that many of the cases/clients involved in this settlement have been in litigation against the Church of Scientology for more than six to seven years, that many have been subjected to intense, and prolonged harassment by the Church of Scientology throughout the litigation, and that the value of the respective claims stated therein is measured in part by the (a) length and degree of harassment; (b) length and degree of involvement in the litigation; (c) the individual nature of each respective claim in connection with either their involvement with the Church of Scientology as a member and/or as a litigant; (d) the unique value of each case/client based on a variety of things including, but not limited to, the current procedural posture of a case, specific facts unique to each case, and financial, emotional or consequential damage in each case; that we agree and

acknowledge that Michael J. Flynn has primarily been responsible for bearing the cost of the litigation over a period of approximately seven years, that he or his firm's members have been required to defend approximately 17 lawsuits and/or civil/criminal contempt actions instituted by the Church of Scientology against him, his associates and clients, that he and his family have been subjected to intense and prolonged harassment, and that his claims against the Church of Scientology and L. Ron Hubbard, and his participation as an attorney have a unique value which is accurately and properly reflected in the allocations set forth herein.

Nancy Pincalci
NANCY PINCALCI

DATE: Dec 5, 1986

Kina Douglas
KINA DOUGLAS

DATE: Dec 5 - 1986

Robert Dardano
ROBERT DARDANO

DATE: Dec - 20 - 1986

Warren Friske
WARREN FRISKE

DATE: _____

Laurel Sullivan
LAUREL SULLIVAN

DATE: Dec 7, 1986

Julia Christofferson
JULIA CHRISTOFFERSON

DATE: Dec 6, 1986

Paul Garrison

WILLIAM FRANKS

Edward Walters

EDWARD WALTERS

Howard Scherer

HOWARD SCHERER

Martin Samuels

MARTIN SAMUELS

Gerald Armstrong

GERALD ARMSTRONG

MICHAEL J. FLYNN

CONTOS & BUNCH
A PROFESSIONAL CORPORATION

BY: Bruce N. Bunch

Bruce N. Bunch Julia Pascoe

Gary Mc Murray

GARY MC MURRAY

ROBERT KILGOURNE

Jane Pascoe

3:3:17

Richard Pascoe

DATE: _____

DATE: 12-5-86

DATE: December 7th 1986

DATE: 12-5-86

DATE: Dec. 4, 1986

DATE: 12-6-86

DATE: _____

DATE: 12-10-86

DATE: December 6, 1986

DATE: _____

DATE: _____

DATE: _____

DATE: _____

EXHIBIT U

June 21, 1991

Eric M. Lieberman, Esq.
Rabinowitz, Boudin, etc.
740 Broadway, Fifth floor
New York, NY 10003

Via Federal Express

Dear Mr. Lieberman:

I received a call yesterday from Malcolm Rothling, the plaintiff in a defamation case against the organization in South Africa. He asked me to testify at the trial in early August.

(2)

After listening to his story and his understanding of organization philosophy and practises I agreed. I said, however, that I would first attempt to bring about a peaceful resolution of the Scientology-ogy conflict. Hence I'm writing you.

You will receive a photocopy of this letter because the original of my significant holographs are the property of a third party corporation by

(3.)

contract. I will, nevertheless, sign the photocopy, not so much because you or the organization representatives might doubt that I am the writer, but to add fifteen dollars to the value of your archive.

And all of that is just another way of saying that serious matters are nothing to lose a sense of humor over.

I am certain that the Nothing matter

(4)

can be resolved easily with the following organizational actions:

1. A sincere public apology for its "declare" and other antisocial acts.

2. A sincere, public and complete repudiation of "fair game," philosophy of attack, vengeance and hatred, and elimination from Scientology literature of all policies advocating such philosophy.

3. Monetary settlement.

Mr. Nothling says he has no hope that the organization would do

(5.)

any of 1-3; and I recognize that it has exhibited no sign of rethinking its antisocial philosophy and practises. I also recognize that someday it will, and I do what I do because I believe it can be without, and not compelled by, a great human tragedy.

Thus far the organization has attempted to solve its problems with aggrieved individuals with mere monetary settlements and the occasional insin-

(6.)

mere announcement; e.g.,
Hubbard's famous elimin-
Ted ation of the term "fair
game," because it "causes
bad PR," or the more recent
blaming of the GO for all
things bad and bastardly.
And so the organization
has brought upon itself
more problems and made
more aggrieved individuals
who seek sincerity but
end up taking insincerity
and money.

Because I will go
wherever my help is
if asked for I will
continue until the

(6.)

mere announcement; e.g.,
Hubbard's famous elimin-
ation of the term "fair
game," because it "causes
bad PR," or the more recent
blaming of the GO for all
things bad and bastardly.
And so the organization
has brought upon itself
more problems and made
more aggrieved individuals
who seek sincerity but
end up taking insincerity
and money.

Because I will go
wherever my help is
if asked for I will
continue until the

⑦
organization sincerely den-
ounces "fair" game" in
all its forms, or kills
me. It should be under-
stood that I have many
things to do in my work,
far more important than
the application of ethics
to the organization of Sci-
entology. I do this
because it is asked of
me by those aggrieved.
When there are no longer
any aggrieved asking for my
help I will do something
else. Clearly there are
others aggrieved by other
organizations or nations who

⑧ they
can use my help.
simply have not asked
for it. It may be
that the Scientology issue
must be resolved in my
life before I am called
to help the others. I
am not, and I'm sure
you're also not, unaware
that the organization has
used my willingness to
respond to requests for
my help to entrap me
and attack me. The
only observable effect of
the organization's ops and
web of deceit has been
an increasing willingness

⑨
to help those likewise
aggrieved by them.

I truly believe that
the organization's problems
can be easily eliminated.
It can only be done phil-
osophically; and since
its philosophy contains
within it the philosophical
idea that its philosophy
cannot be changed, it
continues to appear that
nothing can be done.
That fact does not make
a philosophic shift
difficult, it simply
means that it's a

pretty silly ^(10.) philosophy.

Hubbard didn't have
any original ideas just
because there are ~~or~~ no
original ideas.
are only two ideas and
Hubbard chose the least
effective and most boring
of the two; the some
idea which prevails in
society. He wasn't worse
than everyone else; he was
the same. Scientology,
by espousing the same idea
as Hubbard and everyone else
is ineffective and boring.

The real opposition
is to Scientology's insistence

⑪
that it is a religion. It
isn't. It could be, but
it isn't. And it isn't
no matter what any gov-
ernment says it is, or
any court or any lawyer.

Almost the last people
you'd want determining
what is or is not a rel-
igion are judges and
lawyers, since their
profession depends on conflict,
which within a religion
cannot exist.

Among all human
activities there is only
one which is religious —
forgiveness. And that,

(12.)
technically, and in every sense,
is the recognition that
what needs to be forgiven
didn't happen. It is
somewhat difficult, of
course, for the organiza-
tion, which uses people's
posts against them, to
understand this simple
fact.

I am certain that
Hubbard caught a glimmer
of this understanding,
but did not triumph
over his fear so chose
instead of forgiveness, con-
demnation. There is
nothing within that

choice which threatens reality, or for which Hubbard should be condemned. It is merely not religion.

All of the things the organization does can be done by non-religious organizations or individuals. But forgiveness can only be done by the religious. Scientology, by publishing and defending its policy of unforgiveness; i.e., "fair game," "attack the attacker," SP declares, sec checks, lower conditions, etc., etc., is not to be condemned;

(15)

it is to be forgiven; but
it is not a religion.

A church's only function
is forgiveness and sanctuary.
Since Scientology collects the
facts of its members' past,
for control, or any purpose,
it is not a church. The
lawyers and courts may
call it a church, but
it is like any non-church
organization; e.g., KGB,
or republican party, etc.

A church to be a church
cannot maintain a cause
of action. Others, carrying
out their purpose, might

(15)

choose to defend it, but
a church, to be a
church, would not
defend itself. Of course,
an organization with a
stated senior policy that
the best defense is attack,
cannot be a church.

The world would
welcome Scientology's doing
something effective, yet
condemnation, attack and
hatred are without effect,
and so the world continues
to wait. And the
Scientists continue the
boredom of unforgiving

lives, and the lawyers
and the few in control
get rich and stay bored.

And yes there are un-
forgiving and bored on
both sides. But the
forgiving are on no side.
And I go where I'm asked
to help. You haven't
asked but I hope this
helps anyway.

Mr. Rothling will call
me in about a week.
I'll be reachable until
then at (604) 795-5852.

(17.)

I believe you understand
whence I come, and I
believe someone can do
something.

Very truly yours,

H. C.

H. C.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; DOES 1-25,
inclusive,

Defendants.

**CERTIFIED
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

1 you could consult the files at your office and ascertain
2 whether you have a complete affidavit, which has a page
3 7, which you and Mr. Armstrong would prefer to substitute
4 for Exhibit 14?

5 MR. GREENE: I will do whatever is
6 appropriate.

7 MS. BARTILSON: All right.

8 Q. But that is your signature that appears on
9 page 9; is that correct?

10 A. Yes.

11 Q. Fine.

12 By the way, Mr. Armstrong, where did you
13 prepare this affidavit?

14 A. In the Hub Law Office.

15 Q. Did you draft it yourself?

16 A. Yes.

17 Q. After you finished drafting it, did you send
18 it somewhere?

19 A. Yes.

20 Q. Where did you send it?

21 A. To Reader's Digest.

22 Q. Do you recall the name of the person at
23 Reader's Digest to whom you sent it?

24 A. I believe Mark Sirota, S-i-r-o-t-a, M-a-
25 r-k.

1 Q. When you did that, was it your intention
2 that the affidavit would be used by Reader's Digest in
3 litigation?

4 A. I made it available for that purpose.

5 Q. Okay. Can you tell me, please, Mr.
6 Armstrong, the subjects that you discussed with Mr.
7 Rummonds during this first two-hour meeting that you had
8 with him earlier this year?

9 A. My history in the organization, the
10 settlement agreement, the effect of the settlement
11 agreement, the Geernaert ruling, the status of the
12 existing Armstrong II case, and my opinion, based on what
13 I knew, that the courses which were being taught,
14 implemented in Applied Materials, were Scientology, and
15 my knowledge of fraud, cover-ups, and fair game.

16 Q. Is that a complete list of the subjects that
17 you recall discussing with Mr. Rummonds at that meeting?

18 A. I think so.

19 Q. When you say that you discussed with him the
20 status of the Armstrong II case, do you recall what that
21 status was?

22 A. I had been sued.

23 Q. Do you recall if there was a restraining
24 order issued against you at all at that time?

25 A. I don't believe there was.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MARIN

--oOo--

**CERTIFIED
COPY**

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

vs.

No. BC 052395

Gerald Armstrong; Does 1-25,
inclusive,

Defendants.

DEPOSITION OF
GERALD ARMSTRONG

Thursday, October 8, 1992

VOLUME IV

REPORTED BY: BARBARA H. STOCKFORD, CSR No. 4575

1 Q. When was the first time that you sent
2 something to Mr. Behar?

3 A. 1986.

4 Q. Was it before or after December of 1986?

5 A. Before.

6 Q. And what did you send to him?

7 A. I don't recall.

8 Q. When was the next time you sent something to
9 him?

10 A. 1986.

11 Q. How many times did you send things to him in
12 1986?

13 A. Either two or three.

14 Q. Do you recall anything that you sent to him
15 in that year regardless of which time it was that you
16 sent it to him?

17 A. No.

18 Q. Did you send anything to Mr. Behar after
19 1986?

20 A. Yes.

21 Q. When was the next time you sent something to
22 him?

23 A. I sent him a letter announcing my address.
24 I sent him things unrelated to the organization.

25 Q. You didn't send him anything else concerning

1 CSI or related entities?

2 A. I sent him a copy of the declaration written
3 at the request of Reader's Digest, and although I believe
4 I have sent him something else in this last year, I do
5 not recall what it is.

6 Q. Do you recall when you sent him the
7 declaration for Reader's Digest?

8 A. It would have been around the time that it
9 was executed.

10 Q. And yesterday, you testified that you sent
11 Mr. Lobsinger a letter. Did you send him any other
12 documents?

13 A. I sent him the organization's complaint, the
14 answer, cross-complaint. I think that's it.

15 Q. The answer and cross-complaint that you sent
16 to him are the ones that have now been superseded by the
17 amended answer and cross-complaint?

18 A. Right.

19 Q. When did you send him these documents?

20 A. Within the last two months.

21 Q. Anything else that you sent to Mr.
22 Lobsinger?

23 A. No.

24 Q. What did you send to the New York Times?

25 A. Complaint, that is, I believe, the amended

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MARIN

--oOo--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
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Plaintiff,

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inclusive,

Defendants.

**CERTIFIED
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

1 MS. BARTILSON: Q. In your capacity as a
2 paralegal in, quote, "Scientology litigation," close
3 quote, that you've described here in paragraph 2 of your
4 affidavit, do you draft pleadings for Mr. Greene's
5 office?

6 MR. GREENE: Same two positions.

7 MS. BARTILSON: Q. Could you tell me, Mr.
8 Armstrong: When was the last time you did any work at
9 all for Mr. Greene's office concerning the Aznaran case?

10 MR. GREENE: Same two positions.

11 MS. BARTILSON: Q. And to make the record
12 complete, could you also tell me, please: When was the
13 last time that you performed any work for Mr. Greene's
14 office concerning any individual or group involved in a
15 dispute with any Scientology entity?

16 MR. GREENE: Same two positions.

17 MS. BARTILSON: Q. Do you know a gentleman
18 named James Rummonds?

19 - A. Yes.

20 Q. Do you recall, when was the first time you
21 spoke with or met Mr. Rummonds?

22 A. Early this year.

23 Q. Was that an in-person meeting or a telephone
24 call?

25 A. In person.

1 Q. Who was present besides yourself and Mr.
2 Rummonds, if anyone?

3 A. At the very beginning of our meeting,
4 Margaret Singer was there.

5 Q. Where was the meeting?

6 A. At an office in Berkeley.

7 Q. Was it Dr. Singer's office?

8 A. No.

9 Q. Whose office was it?

10 A. I do not recall the name at this time.

11 Q. Was the person whose office it was present
12 at the meeting, as well?

13 A. No.

14 Q. How did you happen to meet with Mr. Rummonds
15 and Margaret Singer at Berkeley?

16 A. With Dr. Singer, it was an accident; I did
17 not make arrangements to meet her. With Mr. Rummonds, it
18 was arranged through his law office.

19 Q. But not by him?

20 A. I believe on his instructions.

21 Q. You spoke with someone from his law office
22 to set that meeting up; is that correct?

23 A. Yes.

24 Q. Who requested the meeting, you or Mr.
25 Rummonds?

1 A. He did.

2 Q. Did he tell you why he wanted to meet with
3 you? Or did someone tell you why he wanted to meet with
4 you, I should say?

5 A. Yes.

6 Q. And what was the reason?

7 A. It had to do with my designation as an
8 expert witness in a case called Hunziker -- H-u-n-z-i-k-
9 e-r -- vs. Applied Materials, Incorporated.

10 Q. Had you been designated as an expert witness
11 at the time that Mr. Rummonds was requesting a meeting?

12 A. Yes.

13 Q. By whom?

14 A. John Elstead, E-l-s-t-e-a-d.

15 Q. Do you remember approximately how long it
16 was after you were designated as an expert witness that
17 you were contacted by Mr. Rummonds' office?

18 A. No.

19 Q. How long did you meet with Mr. Rummonds in
20 Berkeley?

21 A. I believe two hours.

22 MR. GREENE: I'm sorry. I've got to
23 interrupt here.

24 Exhibit 14 is incomplete.

25 Gerry, would you see if you've got a page

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

--000--

STEVEN HUNZIKER, KATE SCHUCHMANN,
VIRGINIA SANDERS,

PLAINTIFFS,

VS.

NO. 692629

APPLIED MATERIALS, INC., A DELAWARE
CORPORATION; APPLIED SCHOLASTICS, INC.,
A CALIFORNIA CORPORATION; WORLD
INSTITUTE OF SCIENTOLOGY ENTERPRISES,
A FLORIDA CORPORATION; JAMES MORGAN,
LINDA OXMAN, GLEN TONEY, JAMES DELONG,
NANCY DEVITA, ANN BRANNAN, JOHN KANE,
JAMES BAGLEY, INGRID GUDENAS, BOB
JOHNSON, STEVE REA, JIM RYAN, GLEN
SOPP, AND DOES 1 THROUGH 100,
INCLUSIVE,

DEFENDANTS.

COPY

DEPOSITION OF GERALD ARMSTRONG

THURSDAY, MARCH 12TH, 1992

VOLUME II

(PAGES 183 - 337)

REPORTED BY:

JUDITH S. DOUTHIT, CSR #4531

1 STEVEN, IF IT WAS LATE AT NIGHT OR SOMETHING LIKE THAT. I
2 THINK IT MAY HAVE BEEN THAT IT WAS AT NIGHT WHEN I WANTED IT
3 AND I -- BUT THAT WAS THE ONLY REASON THAT I CALLED HIM.

4 Q. AND DID YOU TALK AT ALL ABOUT ANYTHING RELATING
5 TO YOUR TESTIMONY?

6 A. NO, NOTHING SUBSTANTIVE, ANYWAY.

7 Q. HOW LONG WAS YOUR CONVERSATION?

8 A. WITH STEVEN?

9 Q. YES.

10 A. OH, VERY BRIEF. A MINUTE MAYBE.

11 Q. DO YOU REMEMBER ANYTHING HE SAID TO YOU?

12 A. NO. HE HAD THE NUMBER. HE GAVE ME THE NUMBER,
13 AND I DON'T THINK THAT WE DISCUSSED ANYTHING BEYOND THAT.

14 Q. NOW, WHAT -- SO YOU'VE HAD ONLY ONE CONVERSATION
15 WITH HIM SINCE THE LAST DEPOSITION?

16 A. RIGHT.

17 Q. AND MR. ELSTEAD, HOW MANY TIMES HAVE YOU TALKED
18 TO HIM SINCE THE LAST DEPOSITION?

19 A. I THINK THREE, THREE TIMES. ONCE BY PHONE. IT
20 COULD BE FOUR TIMES. HE CALLED ME, URGING ME TO GET THE
21 MATERIALS READY, PRAYING THAT I COULD DO IT BEFORE THE 18TH,
22 BECAUSE HE THOUGHT HE WOULD RUN INTO DIFFICULTIES IF IT WENT
23 UNTIL THE 18TH.

24 AND THEN HE CALLING HIM TO MAKE ARRANGEMENTS TO
25 DELIVER TO HIM THE DOCUMENTS WHICH WE HAVE HERE TODAY.

26 AND THEN I MET HIM BRIEFLY AS I WALKED IN TODAY,

1 PICKED UP THE DOCUMENTS FROM HIM IN HIS OFFICE.

2 Q. OKAY, NOW WHEN DID HE CALL YOU, URGING YOU TO GET
3 READY BEFORE THE 18TH? BECAUSE WE HAD ORIGINALLY SCHEDULED
4 THIS DEPOSITION ON THE 18TH; CORRECT?

5 A. RIGHT, BUT THERE WAS, AS YOU MENTIONED EARLIER,
6 THERE WAS THIS TALK OF A NEED TO GET IT DONE.

7 Q. EARLIER?

8 A. EARLIER.

9 Q. RIGHT. SO WHEN DID HE CALL YOU AND ASK YOU TO
10 GET IT DONE BY THE 12TH INSTEAD OF THE 18TH?

11 A. MAYBE LAST FRIDAY.

12 Q. OKAY.

13 A. PERHAPS.

14 Q. AND THEN YOU --

15 A. AND THEN WE CONNECTED AGAIN ON SUNDAY. SUNDAY
16 WAS WHEN I DELIVERED THE DOCUMENTS TO HIM.

17 Q. AND WHERE WAS THAT?

18 A. IN OAKLAND.

19 Q. WHERE IN OAKLAND?

20 A. MONTCLAIR AREA GENERALLY.

21 Q. WHAT DO YOU MEAN THE "MONTCLAIR AREA GENERALLY"?
22 WAS IT AT SOMEONE'S HOUSE?

23 A. NO, IT WAS JUST WE -- I CALLED HIM UP AND WE
24 AGREED TO MEET AT A PARTICULAR PLACE.

25 Q. WHERE WAS THAT?

26 A. WELL, IT HAPPENED TO BE IN A PARKING LOT, THE

1 PLACE.

2 Q. SO YOU DELIVERED ALL OF THESE DOCUMENTS THAT YOU
3 HAVE HERE?

4 A. EVERYTHING THAT I'VE GIVEN YOU TODAY.

5 Q. SO SINCE SUNDAY, YOU HAVEN'T LOOKED AT ANY OF
6 THIS?

7 A. RIGHT.

8 Q. SO YOU DID YOUR WORK ON THESE DOCUMENTS BETWEEN
9 FRIDAY AND SUNDAY, OVER THE LAST WEEKEND?

10 A. CORRECT.

11 Q. AND DID YOU HAVE TO TRAVEL SOMEWHERE TO GET THESE
12 DOCUMENTS? YOU HAD SAID BEFORE YOU HAD TO TAKE A TRIP TO
13 GET THE DOCUMENTS?

14 A. NO, I TOLD YOU THAT I HAVE TO TAKE A TRIP, AND I
15 HAVE TO DO THAT THIS WEEKEND, BUT THAT DOESN'T FALL BEFORE
16 THE 12TH. SO I AM LIMITED TO THIS SET OF DOCUMENTS, WHICH I
17 HAD IN THE GENERAL GEOGRAPHIC AREA WHERE I LIVE, IN MARIN.

18 Q. NOW, WHAT DID YOU TALK TO MR. ELSTEAD ABOUT WHEN
19 YOU MET HIM IN OAKLAND?

20 A. I DESCRIBED -- I ROUGHLY DESCRIBED THE DOCUMENTS.
21 I SHOWED HIM THE VARIOUS GROUPINGS OF THE DOCUMENTS. AND
22 BEYOND THAT WE JUST PARTED. I TOOK THE BOX OF DOCUMENTS
23 FROM THE TRUNK OF MY CAR, CARRIED THEM TO HIS CAR. WE SPENT
24 A COUPLE MINUTES.

25 Q. OKAY, AND THAT'S THE SUM TOTAL OF THE TIMES
26 YOU'VE TALKED TO MR. ELSTEAD?

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SANTA CLARA

3 --000--

4
5 STEVEN HUNZIKER, KATE SCHUCHMANN,
6 VIRGINIA SANDERS,

7 PLAINTIFFS,

8 VS.

NO. 692629

9 APPLIED MATERIALS, INC., A DELAWARE
10 CORPORATION; APPLIED SCHOLASTICS, INC.,
11 A CALIFORNIA CORPORATION; WORLD
12 INSTITUTE OF SCIENTOLOGY ENTERPRISES,
13 A FLORIDA CORPORATION; JAMES MORGAN,
14 LINDA OXMAN, GLEN TONEY, JAMES DELONG,
15 NANCY DEVITA, ANN BRANNAN, JOHN KANE,
16 JAMES BAGLEY, INGRID GUDENAS, BOB
17 JOHNSON, STEVE REA, JIM RYAN, GLEN
18 SOPP, AND DOES 1 THROUGH 100,
19 INCLUSIVE,

20 DEFENDANTS.

COPY

21 DEPOSITION OF GERALD ARMSTRONG

22 THURSDAY, MARCH 12TH, 1992

23 VOLUME II

24 (PAGES 183 - 337)

25 REPORTED BY:

26 JUDITH S. DOUTHIT, CSR #4531

1 THAT.

2 Q. OKAY, I HAVE NEVER SEEN IN MY LEGAL CAREER AN
3 EXPERT WITNESS SUBPENAED IN ANY CASE IN MY LIFE, SO I'M
4 HAVING GREAT DIFFICULTY WITH THIS. IF YOU'RE HERE
5 VOLUNTARILY AS AN EXPERT WITNESS, THEN WE HAVE AN OBLIGATION
6 TO PAY YOU WITNESS FEES AND TREAT YOU LIKE AN EXPERT. IF
7 YOU'RE HERE UNDER SUBPENA, THAT'S A VERY DIFFERENT THING.

8 A. I'M HERE AS AN EXPERT.

9 Q. ARE YOU HERE VOLUNTARILY AS AN EXPERT WITNESS?

10 A. I'M HERE VOLUNTARILY AS AN EXPERT WITNESS. I'VE
11 ALSO BEEN SUBPENAED.

12 Q. I'D LIKE A COPY OF THE SUBPENA, PLEASE.

13 A. OKAY, I'LL ASK MR. ELSTEAD.

14 Q. WELL, LET'S GET IT.

15 (THE WITNESS LEFT THE ROOM BRIEFLY AND THEN
16 RETURNED)

17 THE WITNESS: HE DOESN'T HAVE IT RIGHT NOW.

18 BY MS. REMMERS: Q. DO YOU HAVE IT IN YOUR
19 POSSESSION?

20 A. I'M NOT SURE.

21 Q. I MEAN IF YOU WERE GIVEN THE SUBPENA, I IMAGINE
22 YOU WOULD WANT TO HAVE IT, WOULDN'T YOU?

23 A. I THINK IT MAY BE DOWN IN MY CAR.

24 Q. WELL, I'D LIKE YOU TO GO GET IT.

25 A. OKAY.

26 (7-MINUTE RECESS)

1 SUBPENA THAT YOU WERE GIVEN THIS MORNING, YOU SAID, BY MR.
2 ELSTEAD; CORRECT?

3 A. RIGHT, THAT THIS WAS NOT WHAT THE DEPOSITION WAS
4 ABOUT, THAT I WAS NOT REQUIRED, AND I COMPLETELY AGREE WITH
5 HIM. THAT'S NOT WHAT THIS DEPOSITION IS ABOUT.

6 I AM HERE PURSUANT TO AGREEMENT WITH YOU, TO ACT
7 AS AN EXPERT IN THIS CASE, AND I'M PROCEEDING ON THAT BASIS.

8 Q. AND WOULD YOU HAVE BEEN HERE -- WELL, YOU WERE
9 HERE ABSENT A SUBPENA? YOU SHOWED UP FOR THE DEPOSITION
10 WITHOUT HAVING RECEIVED A SUBPENA?

11 A. RIGHT.

12 Q. AND YOU WOULD HAVE COME WHETHER MR. ELSTEAD GAVE
13 YOU A SUBPENA OR NOT?

14 A. I'M -- THAT DIDN'T ENTER INTO MY EVALUATION OF
15 WHETHER OR NOT TO -- TO SHOW UP. I FELT THAT I HAD
16 COMMITTED TO BEING HERE; SO I WOULD DO WHAT I COULD TO BE
17 HERE.

18 AND IT WASN'T MY CHOICE. I WANTED TO MAKE IT THE
19 18TH, BUT I DID WHAT I COULD TO ACCOMMODATE YOU. AND I
20 WORKED, PUT IN A GREAT NUMBER OF HOURS TO ASSEMBLE MY
21 MATERIALS.

22 Q. OKAY, HOW MANY HOURS HAVE YOU PUT IN SO FAR? YOU
23 HAD TOLD ME HOW MANY HOURS YOU PUT IN UP TO THE LAST
24 DEPOSITION.

25 HOW MANY HOURS HAVE YOU PUT IN?

26 A. ASIDE FROM DEPOSITIONS?

WHERE: Marin Superior Court, San Rafael Civic Center -
Scientology vs. Armstrong No. 152229

March 20, 1992 at 9:00 a.m., Department 4.

* * * * *

Can the Scientology Organization purchase the free speech rights of Gerald Armstrong - the former in-house biography researcher/archivist of cult leader L. Ron Hubbard - so that it can keep the facts that he knows out of public view in the marketplace of ideas?

A former high-ranking Scientologist for 12 years, Armstrong split with the group when it insisted he continue lying about the accomplishments Hubbard claimed to the public at large. In 1982, the organization sued Armstrong for sending Hubbard documents to his lawyers. In 1984 at Armstrong's trial, Los Angeles Superior Court judge Paul G. Breckenridge, Jr., who ruled that Armstrong's actions had been manifestly justified, also found:

"In addition to violating and abusing its own members civil rights, the organization over the years with its "Fair Game" doctrine has harassed and abused these persons not in the Church whom it perceives as enemies. The organization is clearly schizophrenic and paranoid, and this bizarre combination seems to be a reflection of its founder LRH [L. Ron Hubbard]. The evidence portrays a man who has been virtually a pathological liar when it comes to his history, background, and achievements. The writings and documents in evidence additionally reflect his egoism, greed, avarice, lust for power, and vindictiveness and aggressiveness against persons perceived by him to be disloyal or hostile."

For years, Scientology has treated Armstrong as a "suppressive person" who was "Fair Game." This policy says as Fair Game one

"may be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued or lied to or destroyed."

Defended by Ford Greene - the lawyer who persuaded the California Supreme Court that the Unification Church (Moonies) should be liable for brainwashing and who won an acquittal for a felonious-charged deprogrammer on the ground that the kidnapping was necessary to avoid cult-danger - Armstrong is resisting Scientology's high-powered attack in an effort to affirm his right to free speech to maintain vigilance for the truth.

After Armstrong beat Scientology's lawsuit against him in 1984, he was poised to prosecute his own claims. For millions of dollars, however, in 1986 Scientology settled with him and over 17 other Scientology-knowledgeable individuals on the condition that those persons would forever keep silent, avoid giving sworn testimony by evading subpoenas, and never aid or assist any one adverse to Scientology.

Between its full-page daily ads in U.S.A. Today and purchasing the silence of judicially-credible adversaries, Scientology's strategy is to eliminate the competition in the marketplace of ideas for those who would swallow the claims of its widespread advertisements for the benefits of Dianetics: The Science of Mental Health.

Scientology has demanded that newly-elevated Marin County Superior Court Judge Michael Bufficy give them a preliminary injunction which would prevent Armstrong from speaking out and assisting other individuals locked in litigation with Scientology - while at the same time fabricating false scenarios in other court proceedings that Armstrong was an agent of the IRS out to destroy it. If Scientology has its way, Armstrong would either roll over, or if he exposed its lies about him, Scientology would demand he be jailed for contempt of court.

When Scientology first came to Marin County to go after Armstrong, it asked the Court to conduct all proceedings in secret in closed proceedings. The Court refused. Then Scientology asked the Court to seal the settlement agreement that Scientology wants the Court to enforce. The Court refused. Now, Scientology has obtained a temporary restraining order compelling Armstrong not to speak out on the subject of Scientology. Scientology would like to make it permanent and will attempt to do just that at the March 20th Marin Superior Court hearing.

FOR FURTHER INFORMATION CALL:

KIRK SEIDEL, Press Liaison
(415) 457-5711

FORD GREENE (415) 258-0360

EXHIBIT G

HEADLINE NEWS

[SHOT: Studio setting]

NARRATOR: A former member of the Church of Scientology claims he has damaging information about the organization, but he's being silenced by a Court Order. Don Nab explains.

[CNN CAPTION: SCIENTOLOGY.]

[SHOT: Close up of Armstrong with Ford Greene behind him. Then a pan of the courtroom, with attorney Andy Wilson arguing and a shot of the Judge.]

Don Nab: Gerald Armstrong says he knows a lot about the Church of Scientology and he's fighting in court for the chance to tell it. A former archivist of the organization he had first hand access to records of Scientology's controversial founder, L. Ron Hubbard.

[SHOT: Close up of Armstrong in an office. Don Nab narrating]

Gerald Armstrong: I'm an expert in the misrepresentations Hubbard has made about himself from the beginning of Dianetics until the day he died.

Don Nab: But that's about all that he can say legally. The Church of Scientology slapped Armstrong with a Court Order to prevent him from talking about what he may know.

[SHOT: Excerpt of Video tape of 1986 settlement signing.]

Heller: You are going to sign this of your own free will.

Armstrong: Yes.

[CNN caption: December 1986.]

Heller: OK. You're not suffering from any duress or coercion which is compelling you to sign this document.

[CNN CAPTION: Video provided by Anti-Scientology Attorney.]

Armstrong: No.

Heller: Alright, ...

Don Nab: As part of the lawsuit settlement documented by Scientology on this video tape, the Church paid Armstrong \$800,000. In that settlement Armstrong agreed not talk about the Church, it's documents, or its founder.

[1ST SHOT: Wilson and Hertzberg sitting at counsel table.]
[2ND SHOT: Greene arguing at counsel table.]

Don Nab: Now, the Church of Scientology wants to block Armstrong from working with anti-Scientology attorney, Ford Greene.

Ford Greene: Gerald Armstrong possesses information about the Church of Scientology on first-hand basis that undercuts a lot of the claims that they make to the public on a daily basis in advertisements on TV and advertisements in newspapers.

[CNN CAPTION: Ford Greene, Anti-Scientology Attorney.]

[SHOT: Bartilson at counsel table with a stack of papers.]

Don Nab: Greene hired Armstrong as a paralegal, to help him with a lawsuit against Scientology in Los Angeles.

[SHOT: Wilson arguing at counsel table.]

Don Nab: Attorneys for the Church of Scientology claimed that Armstrong was breaking his settlement contract.

Andy Wilson: \$800,000. \$800,000 was paid to that man. And now that he's spent the money, he comes into this court and he says, "I don't have to keep my part of the bargain."

[CNN CAPTION: Andrew Wilson, Scientology Attorney.]

[SHOT: Judge Dufficy at Bench.]

Don Nab: Scientology won this round. The gag on Armstrong remains, for now.

[SHOT: Close up of Armstrong at counsel table.]

Don Nab: Armstrong is not alone. 12 former Scientology members have accepted money to settle lawsuits with the Church.

[SHOT: Pleading packs on counsel table.]

Don Nab: The settlements included, promises to remain quiet and take no part in further litigation against the Church.

[SHOT: Greene in law office.]

Ford Greene: It'll be extremely damaging because Scientology has spent a whole ton of dough, on keeping not only Gerry silent but a lot of other people silent. And if Gerry's case unravels, it's the first domino, and all the rest of them are going to unravel ...

[SHOT: Green in law office with interviewer.]

Don Nab: Attorney Greene says, Armstrong's knowledge of Scientology can prove the Church is not what it says it is.

[SHOT: Outside of the Courtroom. Armstrong and Phippeny prominent.]

Don Nab: Scientology says, Armstrong accepted a lot of money not to discuss the Church and should keep his word. Don Nab, CNN, San Raphael, California.

April 13, 1992

James S. Rummonds, Esquire
Rummonds, Williams & Mair
Pacific Coast Highway & Rio Del Mar Blvd.
311 Bonita Drive
Aptos, CA 95003

John C. Elstead, Esquire
4900 Hopyard Road, Suite 240
Pleasanton, CA 94566

Re: Hunziker v. Applied Materials
Santa Clara Superior Court No. 692629

Dear Jim and John:

Carolyn Radmanovich has advised me that the trial has been moved to July 20. I do not anticipate any conflict for the two months following that date, and I will stay in touch with your offices as that date approaches.

Church of Scientology International v. Armstrong, Marin Superior Court No. 152229, has now been transferred to Los Angeles Superior Court and given number BC 052395. A hearing on the Scientology organization's renewed motion for preliminary injunction is set for April 28, 1992 in LA.

As I have been served with a trial subpoena in Hunziker I do not believe that any ruling in Armstrong will affect my ability to testify at trial. I also remain confident that sooner or later I will be completely free of the restrictive clauses of the settlement agreement the organization is attempting to have enforced.

Because the organization has used the fact of my testifying in Hunziker as a basis for its effort to get an OSC re contempt in order to prevent me from further testifying or assisting in the case, it might be helpful in Armstrong to have a declaration from someone involved in your side of the Hunziker litigation regarding the effect of the organization's effort on that litigation. I will discuss this with Ford Greene, and if you have any ideas on this subject I'd welcome them.

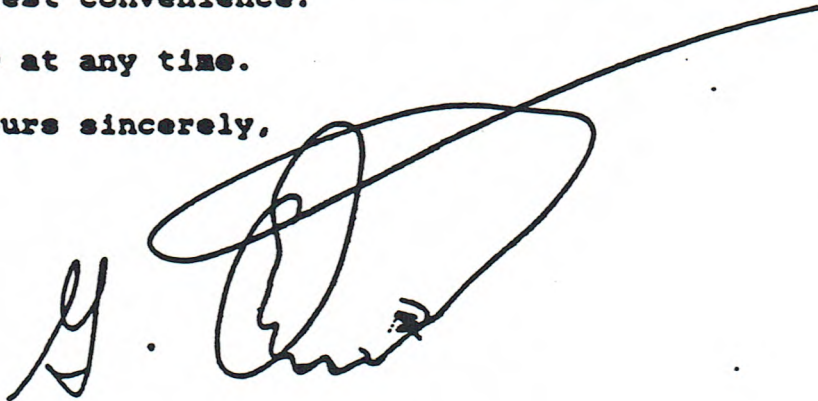
I have not been successful so far in locating anyone in the ex-Scientologists field who knows any of the Applied Materials staff suspected of connections to the organization. I will continue to ask around among the contacts I have.

I believe I have located a former Sea Org member who was in charge of WISE during the period the Applied Scholastics and WISE courses were being delivered in Applied Materials. If he will talk I'll put him in touch with your offices.

I'm enclosing a bill for my work to date in the Hunziker case. If the bill is acceptable, it would be most helpful to me to receive payment at your earliest convenience.

Please feel free to call me at any time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Armstrong', with a large, sweeping loop at the end.

Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd.
San Anselmo, CA 94960
(415)258-0360

INVOICE

April 14, 1992

To: Rummonds, Williams & Mair
311 Bonita Drive
Aptos, CA 95003

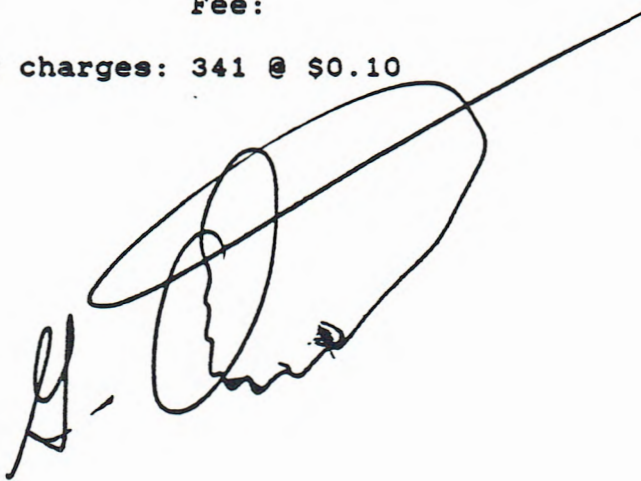
John C. Elstead, Esquire
4900 Hopyard Road, Suite 1200
Pleasanton, CA 94566

From: Gerald Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960

Work done to date in connection with Hunziker v. Applied Materials,
Santa Clara Superior Court No. 692629:

Meeting with James S. Rummonds, Esquire
Meeting with John C. Elstead, Esquire
Meeting with Steven Hunziker and Virginia Sanders
Document review
Document location and production
Witness search

Fee:	\$1,500.00
Hub Law copying charges: 341 @ \$0.10	34.10
TOTAL:	\$1,534.10

A large, stylized handwritten signature, likely of Gerald Armstrong, is written over the signature line and extends upwards towards the fee amounts.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; DOES 1-25,
inclusive,

Defendants.

**CERTIFIED
COPY**

No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

MARY HILLABRAND INC.

CERTIFIED SHORTHAND REPORTERS

520 SUTTER STREET / off UNION SQUARE SAN FRANCISCO, CA 94102

PHONE 415 / 788-5350 FAX 415 / 788-0657

1 was aired by CNN.

2 MS. BARTILSON: Q. So you asked Mr. Knapp
3 how you could go about doing that?

4 A. That's the gist of the conversation.

5 Q. Do you recall his reply?

6 A. Not specifically.

7 Q. Did you discuss anything else with Mr. Knapp
8 besides the obtaining of the videotape of that segment?

9 A. It may have been that we discussed running
10 briefly.

11 Q. Did you ever have any other occasion to
12 speak with Mr. Knapp besides the two that you've now
13 described?

14 A. No.

15 Q. Do you know who arranged for Mr. Knapp to
16 come to Mr. Greene's office on March 20th?

17 A. No.

18 Q. Were you working in Mr. Greene's office on
19 March 20th, 1992?

20 A. Yes.

21 Q. When were you interviewed by Bill Horne?

22 A. I believe in the spring, this year.

23 Q. Do you recall what month?

24 A. Not right now.

25 Q. Do you recall if it was before or after the

1 CNN interview that you've described?

2 A. It was after.

3 Q. Do you recall if it was before or after the
4 first time you came down to Los Angeles for a hearing in
5 this case, after it had been transferred to Los Angeles?

6 A. I believe it was before.

7 Q. Okay. How did you come to have an interview
8 with Mr. Horne?

9 A. I think that it stems from my involvement in
10 Scientology litigation, which subject he was covering in
11 his story.

12 Q. Did he contact you, or did you contact him?

13 A. I believe he contacted me.

14 Q. By telephone or in person or in writing?

15 A. I believe by telephone.

16 Q. Do you recall approximately how long before
17 your interview with Mr. Horne he contacted you by
18 telephone?

19 A. It might have been as long as a couple of
20 weeks.

21 Q. And your interview was in person, was it
22 not?

23 A. Yes.

24 Q. As best you can recall, when Mr. Horne
25 contacted you by telephone that first time, what did he

1 say to you and what did you say to him?

2 A. I have no recollection.

3 Q. Did you have any subsequent telephone calls
4 with Mr. Horne before you were interviewed by him in
5 person?

6 A. I believe so.

7 Q. Do you recall how many?

8 A. Perhaps two.

9 Q. Can you distinguish between the two
10 conversations in your mind, or do they blur together when
11 you think about them?

12 A. I distinguish them by his proximity: As he
13 approached, he made a call.

14 Q. As he approached San Anselmo from some other
15 part of the country?

16 A. Correct.

17 Q. Do you recall what was said in the first
18 conversation?

19 A. No.

20 Q. Do you recall anything that was said by
21 either of you in the second conversation?

22 A. It related to logistics, when was he
23 arriving.

24 Q. Approximately how much time did you spend
25 with him after he had arrived?

1 A. I believe I spent, myself, perhaps an hour
2 and a half with him.

3 Q. Do you know anyone else who spent time with
4 him?

5 A. Mr. Greene spent some time with him.

6 Q. Do you recall how much time?

7 A. No.

8 Q. Was Mr. Greene present when you were
9 interviewed by him?

10 A. Some of the time.

11 Q. Were you present when Mr. Greene was
12 interviewed by him?

13 A. Some of the time.

14 Q. Where did your interview take place?

15 A. In the office and walking into San Anselmo,
16 having lunch, and returning.

17 Q. Mr. Horne arrived at your office on the day
18 of the interview, which date you don't recall; is that
19 right?

20 A. I'm sorry. I didn't get that.

21 Q. Did Mr. Horne arrive on his own at your
22 office?

23 A. Yes.

24 Q. Was he by himself?

25 A. Yes.

1 Q. Did he tape-record the interview?

2 A. No.

3 Q. Did he take notes?

4 A. At times.

5 Q. Do you remember the subjects that you
6 discussed with Mr. Horne?

7 A. Broadly, yes.

8 Q. Did you tape the interview with Mr. Horne?

9 A. No.

10 Q. Did Mr. Greene?

11 A. I don't know.

12 MR. GREENE: God may have.

13 MS. BARTILSON: God records everything,
14 Ford. Best court reporter of all.

15 Q. What subjects do you recall discussing with
16 Mr. Horne, speaking of broad subjects now?

17 A. The effect of the settlement agreements, the
18 plight of the organization, what it would take to end its
19 legal troubles.

20 Q. Anything else?

21 A. That's, basically, it.

22 Q. When you say "the effect of the settlement
23 agreements," you are talking about agreements other than
24 just yours?

25 A. Mine and others of that ilk, so both on a

1 personal and theoretical and real level.

2 Q. And you are talking here about other
3 settlement agreements that included nondisclosure
4 agreements; is that right?

5 A. What was your question again?

6 Q. When you say "others of that ilk," you are
7 discussing other settlement agreements that included
8 nondisclosure provisions; is that correct?

9 A. Specific to the organization, yes.

10 Q. Did you discuss your own litigation with CSI
11 with Mr. Horne?

12 A. I believe it was discussed in some form, the
13 specifics about which I do not know.

14 Q. You don't know, or you don't recall?

15 A. I fail to see a difference in that sentence
16 or context.

17 Q. Well, if you don't know something was
18 discussed, you could not know it by never having been
19 there or it never having come up.

20 A. But you know that I was there, and I said it
21 had come up. So we've eliminated those two from the
22 definition, at least, the distinction between "know" and
23 "recall" in that sentence.

24 In any case, if it would speed things: I do
25 not recall.

1 Q. Did you discuss with Mr. Horne any of your
2 experiences that you had had with any Church of
3 Scientology or with Mr. Hubbard prior to 1986?

4 A. I only met him in 1992.

5 Q. Right.

6 Did you discuss with him any experiences you
7 had had with the Church of Scientology or Mr. Hubbard,
8 and dating those experiences back to before 1986?

9 A. I have no recollection of any specific
10 experience being discussed.

11 Q. Might have; might not have; you just don't
12 recall?

13 MR. GREENE: Objection.

14 You can answer the question.

15 THE WITNESS: Yes.

16 MS. BARTILSON: Q. But you discussed the
17 settlement agreements with him; is that right?

18 A. That is one of the things which I recall at
19 this time.

20 Q. Did you give him a copy of your settlement
21 agreement?

22 A. I don't believe so.

23 Q. Did you give him any documents?

24 A. I may have.

25 Q. Do you recall, as you sit here today, any

1 documents that you know you gave to him?

2 A. No.

3 Q. Did your lawyer give him any documents?

4 A. I don't know.

5 Q. If you had given Mr. Horne any documents, is
6 there anywhere you might have made note of that or kept a
7 record of it in some way?

8 A. There could be.

9 Q. Where would that be?

10 A. I don't know.

11 Q. You might have made such a note, but you
12 don't know where that note would be?

13 MR. GREENE: Okay. Enough. Speculation.

14 Don't answer any more of these "if you"-type
15 questions.

16 MS. BARTILSON: Well, I'm trying to find out
17 if there's anything in existence that could refresh the
18 witness's recollection, and I think I'm entitled to that.

19 — MR. GREENE: Then ask him. No more
20 speculative questions.

21 Don't answer the "if," speculative,
22 questions.

23 MS. BARTILSON: Q. When you gave documents
24 to reporters or other members of the media, Mr.
25 Armstrong, has it been your custom and practice to make

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

v.

No. BC-052395

GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California corporation, DOES 1
through 25, inclusive,
Defendants.

-----/
and related cross actions.
-----/

DEPOSITION OF GERALD ARMSTRONG
Volume VI - Pages 625 through 752
THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 we --

2 A. Well, I may have even --

3 Q. Let me finish.

4 A. -- may have even thought I had it at
5 that point and may even think I have it at this
6 point. But I'm telling you that right now there's
7 no image in my mind as to where it is, so I'm not
8 guaranteeing that come first thing tomorrow it's
9 going to be here. But I will make a good faith
10 effort.

11 Q. Good.

12 A. Thank you.

13 Q. Good. You have previously testified
14 that you began working in Mr. Greene's office in
15 August of 1991; correct?

16 A. August 15th.

17 Q. At the time that you were first
18 employed by Mr. Greene or prior to the time that
19 you first started working for Mr. Greene, did Mr.
20 Greene discuss with you what your duties would be
21 in his office?

22 A. You know, there may have been a
23 discussion of very narrow and very short, you
24 know, magnitude so, a brief conversation, if it
25 indeed existed.

1 Q. What is your best recollection of
2 such a conversation, such a brief conversation?

3 A. It would have gone, you know,
4 something like --

5 MR. GREENE: Well, hold on, Mr.
6 Armstrong, if you have a recollection, give him a
7 recollection, that's what he asked for.

8 If you don't have a recollection,
9 then don't give a reconstruction as though it is a
10 recollection. Make it clear what you're doing,
11 please.

12 THE WITNESS: Okay. Then what I'm
13 giving you is from the circumstances and from --
14 and from my memory.

15 MR. HERTZBERG: Q. Give me that,
16 that's fine.

17 A. Okay. And that is essentially, "I'm
18 working all night. I have to get this document
19 out," or whatever, "filed. Can you" --

20 I don't know if it even got that far,
21 like, "Can you help?"

22 But it was right on -- that was
23 essentially it and there wasn't anything beyond
24 that.

25 Q. Do you recall which document it was

1 that Mr. Greene was working on all night?

2 A. No.

3 Q. Did it involve a case in which any
4 Church of Scientology entity or individual
5 Scientologist was a party?

6 A. I believe so. I believe it was on
7 the Aznoran case, or I'm certain it was on the
8 Aznoran case, but what exactly it was at this
9 juncture, I don't know.

10 Q. And I think the record from the
11 earlier transcripts will be clear, but just so
12 that this transcript is clear, when you refer to
13 the Aznoran case, is that a litigation in which
14 Richard and Vicky Aznoran were plaintiffs in the
15 lawsuit against various Church of Scientology
16 entities?

17 A. Yes.

18 Q. And certain cross claimants or
19 counter-claims were brought by Church of
20 Scientology entities against them?

21 A. Well, I must -- I must state at this
22 juncture that at that juncture I did not
23 necessarily know of that fact, but I have become
24 aware of that fact.

25 Q. All right. And by that fact, you

1 mean the cross-claim or counterclaim?

2 A. Yeah. And that's only, you know,
3 just the fact that one existed because you've
4 asked. It is not like a -- something that I'm
5 intimately knowledgeable of.

6 Q. And do you recall in what way you
7 helped Mr. Greene on that night in which you
8 stayed up all night working on the Aznoran
9 litigation?

10 A. I think that it was photocopying,
11 hole punching, stamping, that sort of thing.

12 Q. Anything more specific or additional
13 come to mind?

14 A. There were some transport functions
15 from either that little block of time that, you
16 know, you're talking about here when I came into
17 the office and began to -- began to work. And
18 that -- that was moving things, moving things
19 around, taking things here and there. So I did
20 that. And that was really it.

21 Q. Did those things that you just
22 referred, taking those things here and there, did
23 that include Aznoran files?

24 A. Well, I think that, you know,
25 without -- without getting into, you know, the

1 actual things that I work on in the office,
2 because I -- I don't think that those are, you
3 know, relevant, they begin to -- without getting
4 into that, no.

5 Q. Well, I think we're entitled to get
6 into them irrespective of what you may think is
7 relevant or not relevant.

8 A. That's fine.

9 Q. So I want you to answer the last
10 question that I asked you.

11 A. I did. I answered it.

12 Q. All right.

13 A. I just said that, you know, there
14 will come a time when we sort of reach.

15 MR. GREENE: Just listen to the
16 question and answer the question, please.

17 THE WITNESS: Yeah, okay, Ford.

18 MR. HERTZBERG: Q. Do you remember
19 what specific -- strike that.

20 Did you talk to Richard or Vicky
21 Aznoran during that particular time that you're
22 describing?

23 A. I may have. I'm not certain.

24 Q. You have no recollection?

25 A. No.

1 Q. Was this the first matter that you
2 worked on in Mr. Greene's office when you
3 commenced your employment with Mr. Greene?

4 A. I believe so, yes.

5 Q. Do you remember whether this --- were
6 you working on a -- was Mr. Greene preparing a
7 motion or opposition to a motion, do you have any
8 recollection of that?

9 A. Of the two choices, then I would say
10 it was certainly an opposition.

11 Q. You're certain of that?

12 A. I believe.

13 Q. I don't want you to speculate.

14 A. I don't know what the -- I do not
15 know what the document, the initial document was,
16 but it's my belief that it was related to
17 oppositions.

18 Q. Oppositions by the Aznorans?

19 A. Correct.

20 Q. Did you prepare any exhibits for
21 those papers that Mr. Greene was working on?

22 MR. GREENE: Objection, it's vague
23 and ambiguous as to prepare exhibits.

24 If what you mean is did he assemble
25 exhibits, that's one thing, but whether or not --

1 MR. HERTZBERG: Let's start with
2 that. I think we can cover it.

3 MR. GREENE: Good. You know, it's
4 vague the way you phrased it.

5 MR. HERTZBERG: Q. Did you assemble
6 any exhibits?

7 A. Yes, my recollection.

8 Q. That's all I'm asking for is your
9 recollection.

10 A. Okay.

11 Q. Did you discuss with Mr. Greene what
12 exhibits should go into the papers he was
13 preparing?

14 MR. GREENE: I'm going to object at
15 this point based on work product privilege and
16 instruct the witness not to answer.

17 MR. HERTZBERG: So that we don't
18 burden the record with needless colloquy, I'll
19 just state at the outset I have thoroughly
20 reviewed all of the transcripts of Mr. Armstrong's
21 prior depositions in this case that we're here for
22 today. And I've noticed your invocation in many
23 places of work product privilege. And I must tell
24 you, I don't agree with your interpretation of
25 what is privileged under the work product

IN AND FOR THE SUPERIOR COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

--oOo--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

**CERTIFIED
COPY**

Plaintiff,

vs.

Case No. BC 052395

GERALD ARMSTRONG; DOES 1
through 25, inclusive,

Defendants.

DEPOSITION OF

GERALD ARMSTRONG

Wednesday, June 24, 1992

REPORTED BY: SUSAN M. SKIGEN, CSR #5829

1 Q. You knew they expected you to keep your
2 part of the bargain, didn't you?

3 A. I knew that it was impossible for me to
4 keep what they could consider my part of the bargain,
5 absolutely impossible.

6 Q. Well, that isn't my question.

7 A. But let me answer that. It was not my
8 intention thereafter to go out and publish a book in
9 violation of that settlement agreement.

10 It was not my intention thereafter to go
11 out and talk to the press.

12 It was not my intention to get involved in
13 other litigation.

14 It was not my intention to turn around and
15 sue the organization on the basis of everything that
16 went down before that.

17 It was my intention to, as much as was
18 humanly possible, honor the settlement agreement --

19 Q. Has that --

20 A. -- because I, and I tried, but I also knew
21 it's impossible.

22 Q. Has that intention changed?

23 A. What?

24 Q. The intention you just expressed.

25 A. Oh, now it's completely impossible ever

1 since, since '89.

2 Q. Okay.

3 A. When, I mean, I have, I have absolutely no
4 intention of honoring that settlement agreement. I
5 cannot. I cannot logically. I cannot ethically. I
6 cannot morally. I cannot psychically. I cannot
7 philosophically. I cannot spiritually. I cannot in any
8 way. And it is firmly my intention to not honor it.

9 Q. No matter what a court says?

10 A. No court could order it. They're going to
11 have to kill me.

12 Q. Well, let's just hope we don't have to turn
13 this into a death penalty case.

14 A. Into a what?

15 Q. A death penalty case.

16 A. Right, but you guys would.

17 Q. I'm not the one who stands up and pounds
18 the table and screams at people in this deposition, your
19 lawyer is. If I were to stand up at this deposition and
20 scream at you to shut up, would you consider that to be
21 an act of fair game?

22 A. I consider the whole thing --

23 Q. I know, but if I were to stand up and yell
24 at to you shut up, would you consider that to be fair
25 game?

September 1, 1992

Robert W. Lobsinger
Publisher
Newkirk Herald Journal
Newkirk, OK 74647

Dear Mr. Lobsinger:

Your Rena Weinberg is, I believe, not my Rena; but the South African accent of your Rena did ring a bell. I believe your Rena really is Rena Weinberg, is South African and was a member of the notorious intelligence bureau of the notorious Guardian's Office of that notorious church before it renamed the GO OSA, and is now a member of its notorious intel bureau.

Your Rena can be checked out with Gordon Cook, now in Johannesburg, SA, formerly the head of the GO in that country and in 1981/2 Mary Sue Hubbard's replacement as Controller, head of the GO internationally under Ron Hubbard and David Miscavige. Gordon can be reached through Malcolm Nothling, about whom you called me a couple of months ago. P.O. Box 734, Highlands North, 2037 South Africa. Tel: 011-27-11-728-4768.

The GO, according to present day Miscavige scriptures, was manned with criminals. Except for Rena, Heber and so forth. Narconon in the good old GO days was operated by the GO under its Social Coordination Bureau. But all of the GO was controlled by the intel bureau, as all of scientology today is controlled by the secret actions of secret people in its still operating secret intelligence apparatus. Now, of course, Miscavige primarily uses non-Scino PI's and intelligence professionals operated through and shielded by what are so common they have made of their ilk a redundancy: sleazy lawyers.

Mike St. Ammons, Narconon Chilocco public relations director, (see Oct 24, 1991 AP article) just possibly maybe has got to be probably a fellow I knew from the Boston org in the GO/OSA legal bureau when I worked in Boston with Michael Flynn in 1985/86. I recall the name as Michael St. Amand. And I see a Maureen St. Amand showing up as financial director for Narconon Chilocco in a February 2, 1992 Daily Oklahoman article. Dollars to doanutics the St. Ammons are Sea Org Missionaires on Mission Orders (MO's) and are being operated by, and reporting back to, an SO Mission Ops in OSA, or, having failed, have been recalled for ethics handling.

I imagine you have it already, but here is the 6-29-92 decision in Church of Spiritual Technology v. US in the US Claims Court, Case no. 581-88T. It is very worthy literature.

PLAINTIFF'S
EXHIBIT

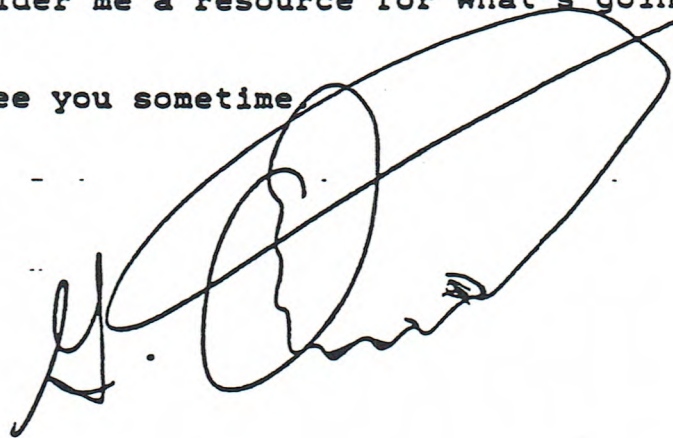
30

8-19-94

Robert Lobsinger
1 September, 1992
Page 2

Please put me on your mailing list for whatever you write on this odd subject, and consider me a resource for what's going on in this other sector.

See you sometime

A large, stylized handwritten signature, likely belonging to Gerry Armstrong, is written over the text "See you sometime". The signature is composed of several loops and a long horizontal stroke.

Gerry Armstrong
715 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)456-8450

Hub Law Offices
(415)258-0360

Enclosure (1)

GERRY ARMSTRONG VIDEO INTERVIEW 6 NOVEMBER 1992

S = Spanky Taylor
G = Gerry Armstrong
J = Jerry Whitfield

S: We're here with Gerry Armstrong on the 6th of November 1992. Hi, Gerry.

G: Hi, Spanky.

S: Basically, what we're doing here is I want to find out a little bit about your Scientology experience, or, more than a little bit -- as much as we can, starting from when you got involved.

G: Ok.

S: So, tell me about that first.

G: I got involved in 1969 in Vancouver, British Columbia, Canada. And ... I spent a year and a half...

S: How old were you then?

G: Twenty-two. Spent about a year and a half in Vancouver. Worked in the local franchise, Scientology Little Mountain. And then in the beginning of '71 went off to save the world. Joined the Sea Org. Flew to LA. And was ... Signed my Sea Org contract at what was USLO. Then was on board the Bolivar, stationship down -- not exactly sure where it was...

S: San Pedro?

G: San Pedro, right. Then...

S: I loved the Bolivar.

G: And then by mid-February '71 was flown to New York, Madrid. Madrid took a train down to Algeciras. Algeciras across by ferry to Tangiers. There sitting in the Tangier harbor was the Apollo. I stayed on board except for brief missions off the ship or sometimes I'd go ashore for brief periods. But was on board 'til the fall of 1975. And we were, in those years, in Portugal, Morocco, Spain, and the little Atlantic islands -- Madeira, the Canarys, and then we made a circuit to the Caribbean islands -- Bermuda, Bahamas, Jamaica, Trinidad, Barbados, Netherlands Antilles.

S: Sounds like a Beach Boys saga. (Laughter) And you knew LRH?

G: Uh huh.

S: You married, your first marriage was... you married on Flag.

G: Yeah. I married his head messenger. Terry Gillham. Young Terry. She was a pretty good catch.

S: She was. She was.

G: I was organizationally a social climber. I really was. It just worked out that way, you know, I was in the right place at the right time I guess.

S: You had quite the wedding. I remember the photos very well.

G: Yeah? Yeah, I had a big double wedding along with Pat and Trudy Broeker.

S: That's right.

G: And through most of my time on board the ship I was the Legal Officer. We called it the Ship's Representative. I dealt with Immigration, Customs, and the Police and Harbor Master and handled all the needs of the ship while in port. And then I was the Public Relation's Officer Port Captain for a period of time. And then I was the Intelligence Officer through our time in the Caribbean. And when we went ashore, landed in Daytona, I was the Intelligence Officer again at the staging area for the Clearwater base which we had in Daytona at that time.

J: What's an Intelligence Officer?

G: Well...

S: It's a

G: ...they were talking about...

S: ... jumbo shrimp, what are those things called oxymorons?

G: Espionage. It's a Hubbard patterned -- his intelligence system, after Nazi system. Perfected, created, developed by Reinhardt Gehlen. And I was one person within a giant network of intelligence personnel operated by the Guardian's Office who were in turn operated by the Guardian, Mary Sue Hubbard, and L. Ron Hubbard. He merely directed on his long distance communication lines all the intelligence operations internationally.

J: What kind of intelligence operations -- we're talking

about a church who has intelligence operations, a church with intelligence operations? Is that what you're saying? And you were there, you were involved in that? Is that what I'm hearing?

G: Right. Now I have a different perspective of course and I don't consider Scientology by any definition a "church" other than the fact that they have edifices -- buildings -- which could, if the activities therein were to change, could be churches. But the organization itself is not a church. But it's undeniable that it had intelligence organization and has been described as outside of the FBI and the CIA, the most formidable intelligence organization operating on the North American continent.

S: At this time, in the early times when you on the ship, you knew the offspring of L. Ron Hubbard. You knew his kids, as well?

G: Right.

S: Quentin and Diana, Arch and Suzette.

G: Right.

S: Tell me a little about them. I mean, you know, were they happy, were they well educated, were they ... because, of course, they were the offspring of this man with this tremendous wealth, did they receive the best of possible educations, did they lead a privileged life in terms of the...what was accessible to them in terms of in a society type of sense in terms of their education and their upbringing. Did they attend the finest finishing schools? Were they ... was Diana Hubbard a debutante. Do you know what I mean? Tell us about that.

G: I think she could have been a debutante but I don't think she was. I think that all the kids were pretty real in their own way, given the environment in which they found themselves and given the very odd circumstances of growing up in the Sea Organization. I suppose that the one I got closest to was Arthur. Arthur and I sort of ran tandem Sea Watch, or rather, gangway Quarter Master Watch for quite a period of time so I had the task of waking him up. He was pretty young at the time, maybe 13 or 14, I don't quite remember. It was always difficult waking him up and he would pull rank a little bit in that I didn't want to make too much noise waking him up in his cabin and there was always the threat that if you did anything out of line at all, Ron...

S: Son of Ron.

G: Son of Source.

S: Right, son of Source. Aauugh. That word.

G: But all of them, I was on Diana's Sea Watch and she was a good Conning Officer. I think that all of the kids were intelligent and I think that they were all decent, good people.

S: Happy? Unhappy?

G: I think both. You know, happy at times, unhappy at times.

S: Sort of normal then.

G: Pretty normal.

S: And Quentin?

G: Quentin, I think much the same thing. He probably was the oddest of the lot, relative to the Sea Org experience. But we got along fine. I always found him to be perhaps the most understanding, in a way, in almost as if he had ...

S: Sensitive?

G: Yeah, sensitive. compassionate. Didn't pull rank and wasn't threatening in any way.

S: So then you were at Daytona when the base was originally moved there.

G: Uh huh.

S: And from that point.

G: Then we moved to Dunedin. At that point I was busted from the Guardian's Office. I was in the Guardian's Office Intelligence Bureau. And Mary Sue or Nikki who was her communicator deemed me a security risk of some kind and so I was removed from the Guardian's Office and I was assigned to Hubbard's Communication Bureau. So I became what was called the Deputy LRH External Communications Aide when we moved to Dunedin which was in December of 1975 and we had a secret base for Hubbard and his personal staff and Mary Sue and her personal staff at Dunedin in an apartment complex I guess about maybe eight miles from Clearwater. And I stayed there until June of '76 at which time I was sent to Culver City here in Los Angeles to set up a staging area for what became the base that was built in La Quinta.

And I was only there for a brief amount of time. I was there to set up this unit along with three other messengers. And Hubbard arrived, Mary Sue Hubbard arrived, and then I had

a fight with Nikki, and Hubbard then assigned me -- first I was taken out of that unit and I was kept locked up at the Intelligence Bureau in the Fifield Manor in Los Angeles.

J: You were locked up?

G: Right. I was kept under guard for a couple of weeks.

S: Which is where that Guardian's Office had moved to.

G: Right. The Intelligence Bureau of the G.O. was there. I was picked up by the D/Guardian for Intelligence Dick Weigand.

J: Isn't that falsely (sic) imprisonment. Isn't that illegal?

G: Yeah. It was clearly false imprisonment.

S: At this point do you feel much of what you had done had been illegal? On some level or another?

J: For Scientology.

G: Personally?

S: That you had done personally.

G: I clearly had been involved in some illegalities while... especially while I was on the ship. Smuggling things on and off and...

J: What kind of things? Money, drugs? Weapons?

G: We did move a lot of money around. Briefcases...

J: Go on.

G: Briefcases of money that were brought to the ship. Booze, cigarettes, that sort of stuff taken off the ship and run through Customs. And other things that were just done sort of borderline activities. But I was willing to do those sorts of things at that time and I considered that I was doing ...it was the greatest good for the greatest number.

S: When you were working in Intelligence did you ... were you involved with any "dirty tricks" against other Scientologists or other staff members?

G: I was aware of dirty tricks against staff members and I was aware of the way the Guardian's Office Intelligence Bureau worked to some degree because I had a lot of the policies. I had the Guardian's Office Intelligence hat, the Intelligence

Manual which trained people to lie and steal and create false identities and harrass the enemy.

J: Why would a church need to do that?

G: Well, a church doesn't need to do that, but Scientology's not a church.

J: Why would Scientology feel the need to be involved in that kind of activity?

G: Because Hubbard was afraid and his idea on dealing with enemies was to attack them. One of the ways that he attacked them was through covert means.

J: Why would a man as great as Hubbard who had THE technology to save the world, have to fear anyone?

G: Well, he didn't have the technology to save the world and he simply had fear because he had fear and he was never able to triumph over his fear, so he put his trust in attacking people as opposed to doing the rational things in life and he also had reason to fear because he had falsified his credentials, he had lied about his life and he was afraid of being exposed and he had also lied and cheated for many years. He knew that there were people around who knew what he really was.

S: Now how did you come to find this out?

J: Can I ask one question? Answer that but answer this one first because you've got me really interested. If Scientology could do what it says it could do, would you still be in it? If it had the technology to do what it says, would you still be in anything?

G: In answering that question you'd have to...if you assumed that if it could do what it says it could do it would have a different form from what it is, then the answer might be yes. But both things would have to be true. It would have to deliver and it would have to be different from its present form opposed from the form which I came to know and understand.

J: Thanks. That's what I wanted to know. Go ahead with Spanky. How did you find out this?

S: How did you come to know that in fact Hubbard had fabricated his credentials, had in fact developed this tremendous fear that he had of being found out, had this paranoia?

J: What credentials? What would he do when found out?

G: I guess the process of that discovery began when I first got involved with the Sea Organization. Of course I worked with the man for quite a period of time. I shot gnus with him in the desert after we left the ship. He twice assigned me to the RPF. I talked to many people about him. I read hundreds of thousands of his words. I listened to him and listened to his tapes so I had a great understanding before I ever came to the realization that what I'd been led to understand was false, but I needed that great understanding I think in order to know what the falsities were. But I was, I considered, quite fortunate in that in the beginning of 1980 and we then were in Gilman Hot Springs and there was a threat of a raid and we were required to go through...each person had to go through his...all papers in his area, whatever post he was on, and all personal papers, and destroy anything which showed Hubbard's control of the organization, anything which showed his intent to live at the Gilman Hot Springs' property, anything which showed his control of organization finances.

S: So now in January of '80 isn't that when, as far as the rest of the staff at the other organizations knew, L. Ron Hubbard went off the lines, so to speak, January '80 he was like... Did he in fact go off the line or was it just made to look like he went off the line at that point? Cause if what you're saying, if I'm following you correctly, do you know, there was this perception that he was now gone and had cut ties to the actual on-hands running of the organization.

G: Well, it's...part of that is true. There had been a gradual decrease, I would say, of his hands-on involvement, but even though he left from the location that he was at the beginning of 1980, he continued to run the organization. He just continued to run through a different conduit.

S: Now, so you went through the papers within your own specific area. Was this prior to your being assigned to the biography project?

G: No, this is what the biography project came out of. Because in the process of going through my things I was at that time responsible for the Household Unit at the Gilman Hot Springs property. One of my juniors was responsible for all of L. Ron Hubbard's stuff -- his personal effects which were stored at the Gilman property. She came to me with a box of very old materials, very old papers, and asked if they should be shredded. I looked through this stuff and saw that it all predated Dianetics so thought, it should be no risk whatsoever. It has nothing to do with his running the organization. So, I also saw that it had great historical value. And when we then began to look over inventories, began to go through his stuff we uncovered some 20 boxes of similar

material. And I knew that this stuff, could form the basis for a library and was incredibly valuable for its history and just as original documents, and that it would form the basis for a biography. So, it was at that time that I petitioned Hubbard to be able to collect this stuff up to preserve it and to contract with an outside writer to do the biography.

He approved the petition in January '80. And then we communicated another couple of times before I then did not have what was that direct comm line to him, communication line. We could then no longer admit to a communication line to him. It still was there but we could not use it for fear of civil litigants or the government then being able to subpoena him.

S: As he was under a lot of legal threat.

G: Right.

S: Domestically, at that time, right?

G: Right.

J: Why would L. Ron Hubbard be under legal threat?

G: Because he controlled the organization.

J: What's wrong with that?

G: And because the organization was involved in criminal and tortious activities.

S: I think additionally the church had, was also under tremendous legal stress in terms of people who were filing suit against the church now for fraud. There were attempts made to name L. Ron Hubbard in a suit, to actually serve him or subpoena him which is when he sort of "poof."

G: Right.

S: Disappeared.

J: So he disappeared, he ran and hid.

G: Right.

J: So, hiding is pretty down on the tone scale.

S: So I hear, honey.

J: But that's what the great L. Ron Hubbard was doing. You were there and that's what you saw.

G: Yeah. I mean he did hide.

J: I'm not trying -- it's just very difficult, the reason I'm saying this, it's very difficult for somebody who's in Scientology to conceive that the great L. Ron Hubbard whom they've never met, but have only heard these wonderful things about, to even perceive or comprehend that this might have been ... might have occurred with this man. How can this man be human? He's not human. He was L. Ron Hubbard. The reason that we're doing this interview is so that other people can know. It's very easy for a non-Scientologist to understand those things. It's very difficult for a Scientologist because Scientologists don't get the type of information that non-Scientologists get. And yet you were there. You knew him. You worked with him for probably 15 years or so.

G: I was in the Sea Org for 11 years.

S: And Gerry, backing up a bit, you saw him as a fallible human being, am I correct?

G: Yeah.

S: I mean he had had illnesses.

G: Right.

S: A great many illnesses, a few illnesses?

G: Quite a few.

S: I know that he had these horrendous allergies which when we refer to them we would be heavily reprimanded and corrected and told they were not allergies they were sensitivities. (laughs) You know there was a brilliant way of sort of smoothing over things.

G: Right. Right. He continued to wear clothes when he was stark naked. Right.

S: Oh, yes. Yes, of course.

G: And we all did that in our own mind, and we all stopped ourselves from thinking critical thoughts of L. Ron Hubbard. We really didn't do him much of a favor because he really was human in every way.

S: Yes. Do you feel that the mindset of the group of -- all of the adoration that L. Ron Hubbard received, contributed to his delusion? Or do you feel that he imposed the delusion upon the group? Or do you think it's kind of 50/50?

G: There's no doubt that he was in control. And there's ... we did not control L. Ron Hubbard. And although he could have become the effect of his own lust for control, and his own greed and his own avarice, so he created his sycophants. And the effect of... often of what you create may not be that pleasant so he did create his own prison.

S: Ok. So now you contracted with Omar Garrison, am I correct, to do the writing of this book which you were researching?

G: Yeah, beginning in January, I collected up the materials from the Gilman Hot Springs property.

S: Several boxes of materials.

G: Right.

J: This was in '80 or '81?

G: '80, beginning of '80. And then shortly after that I moved them to Los Angeles and I began to add to them. I travelled around, travelled up and down the west coast and I bought collections, other people's collections of Hubbard materials. I interviewed a number of people, his other living relatives.

J: L. Ron Hubbard, Jr.?

G: Yeah.

J: His ex-wife?

S: Sarah Nordstrom. (sic)

G: No. No, I didn't talk to Sara. I talked to Sara after that project was over.

J: His daughter Alexis?

G: I spoke to her as well some time later. I spoke to his living aunt, living uncle.

J: That was his...

G: Yeah. It was good. Good. And they really saw him for what he was, as well. They knew him in a real manner. They knew that he was a big storyteller.

S: Now, at this time you're going around talking to these people and I presume verifying his various degrees and his education credentials, etc. And you're starting to see holes in these stories, right? At this point, it's still 1980, are you going, whoa. This guy's full of shit. Or are you going,

oh, something's wrong here? Or -- I mean I know so many people within the church, despite the fact that these claims and the intros to these books and L. Ron Hubbard's past, you know, and he's been killed three times and come back to life and born of a Virgin Mother or whatever the hell it is, they consider that these things are factual. He was a war hero. He did have these degrees. And that the government with a conspiracy against Scientology has gone in an altered all this information. Do you know what I mean? It's like, to continue their own delusion of what was what.

Now, at this point in 1980 were you still buying the story or would you concerned, you know, in terms of the validity of any of that?

G: There were a couple of steps in the process. Initially, I just collected the documents. Then I began to see discrepancies. And although I saw discrepancies I continued to believe that what he was writing about himself and what he had been saying was the truth. And that the discrepancies could be explained in some manner. Additionally, if there are only a couple of discrepancies and they're minor discrepancies, who cares. But, through the process of the accumulation of the biographic archive, in my study of them, I began to see that it wasn't just a few isolated instances but, rather, that he had -- that lying had been his pattern and that that's what was true about him. What was true about him was that he was a liar and that he appeared to think that he could lie with impunity.

J: What lies did you see specifically that you could enumerate a few.

G: The ones which were significant to me were the ones I think which had been used to draw me into the organization and which had kept me in the organization for all that time, and they were not just used for that but used to create a mystic about him which you could not penetrate, could not question. It was significant ones. If he had been crippled and blinded during the 2nd World War. That he had cured himself with Dianetics. That it was a matter of medical record that he'd twice been pronounced dead. That he was a nuclear physicist. Those, to me, significant representations, I was able to show in his own documents, not the government's documents, but documents which he maintained in his own archive, that they were false.

J: Gerry, how did you feel when this came to light? I mean, you're a loyal Sea Org member. You have worked for the last ten years as a Sea Org member working night and day very hard, giving your all, complete dedication, sometimes 16, 18, 20 hours a day. How did you feel when you began to find these things out and they began to dawn on you that this man

was a bigger liar than he was a purveyor a truth? This must have been the devastating thing to go through. You were loyal. There was probably no person any more loyal than you. You were one of the loyal Sea Org members.

G: Well, it was initially like I say, I just noted the discrepancies and carried on with my work. There came a time when my mind began to open. I began to see, and I began to question. That period of time was also a period of great confusion. There was also a period of time of some loneliness because there really was no one to talk to because I couldn't go to someone with a critical thought. I could not -- you could not talk and say the things that I had to say inside the organization.

Then there came a period of time in the fall of 1980. I actually had tried a couple of times. I'd gone to Laurel with some discrepancies, cause Laurel had been his public relations officer for many years. She knew the story. And I was saying, "Laurel, this isn't true. We can't say that." Well she got really angry at me and silenced me. So I learned to not say anything.

But there were a couple of points. One of them was contracting with Omar Garrison. And Garrison had a couple of very pro-Scientology books prior to my coming on the scene although he was not a Scientologist..

S: He was a huge ally of the church, in fact ...

G: He was a huge ally so again even with Garrison I couldn't just say, "Hey, Omar, you know, check this out. It's bullshit!"

S: I've connected the dots and it's scary.

G: Right. Now, it was a gradual thing with him, too. I would give him material and then we'd talk about it. Gradually I began to see that Omar understood, and Omar was an ally of mine, so we began to be able to talk freely. And that was another key to my getting out of the organization was... spending a lot of time with him, with his wife, travelling around the country in different situations outside the organization. And then going back into the organization and having that comparison all the time where you do, having the knowledge that I had, going into the organization and seeing the craziness inside and then going out of the organization and seeing that the representations the organization was making about the outside was another aspect of the big lie which was being run on us.

But, toward the end of my existence inside the organization, and also as I learned more I became, I guess, braver and

braver and braver. You know, willing to stand up -- it didn't matter any more. You know, you want to kick me out of this organization? See you later.

But I was still there, still dedicated, so I developed something of a cause during my last few months inside the organization of attempting to get the organization -- and, of course, I knew it would get to Hubbard and it was sort of a challenge to him, but initially to get the organization to change what it was saying.

S: I remember that part very well.

G: And I critiqued a number of the dust jacket material and the "About the Author" sections of the various books, and we'd go through them and line by line say, "This isn't true, this isn't true." Here are the facts." This we don't know. We can't document that. It sounds like bullshit to me. And so, I did that with a number of pieces. And I think it actually had a good effect up to a certain point, because they did actually change them and tone down some of the hyperbole.

S: Now, didn't at that point you also feel -- this is per my recollection cause I was a PR at that time and worked pretty close with Laurel and -- didn't you feel that despite the fabrications and despite the inconsistencies that there was still value to Hubbard? I think I recalled something about, "Gerry said that we could still do a biography and just make it truthful and still..." -- because LRH had contributed so much, just do a truthful thing, and his contributions would stand on their own. You didn't need all this fabrication. And you sort of had platformed this campaign, right, where you went over like a pregnant polevaulter...

G: Right.

S: ...as I recall.

G: It really, I think, ran his accomplishments and the technology will have to stand on its own. If it's going to stand, it has to stand on its own. We can't hold it up with lies. That's the way I still feel about it and I think it has fallen on its own. I don't think that it's workable and I think that it's an enforced technology. But that's sometime later in my development.

S: Now, by this time, you and Terry were no longer married and you had remarried to Joyce Brown.

G: Right.

S: Was your relationship with your wife at this time, where you were very vulnerable and feeling alone, was that any

solace to you?

G: Yeah. See, she came along in...

S: Another catch, dude. I mean she was such a doll-baby. She is such a doll-baby.

G: Yeah, she's a sweetheart. Initially, I'm working away on the biography project and she's up there in SMI, Scientology Missions International. And we connect. And you know what a Sea Org romance is like, you know. "Hey, gotta a weekend free, let's drive down to Tijuana and get married." You know it's that kind of a thing. I think I drove her down one week and got her a divorce and the next week got her -- married her, sort of.

But she was in much the same situation as I was, in, that, if you're free to talk to anyone inside the organization then, for one thing, the organization wouldn't be Scientology -- if people were free to talk it wouldn't be Scientology because that's the essence of Scientology is its lack of freedom. We at one point came to this realization that we could talk. So, just toward the end of our being inside the organization we formed something of a conspiracy of two. And so, knowing what we knew, and once I knew that I could talk to her and what she knew is she could talk to me, and we formed this little conspiracy...

J: It really wasn't a conspiracy though. It was open, honest communication.

S: Between a husband and wife.

G: Right, open and honest between us, but

S: But within the organization it would have been a conspiracy.

G: ...but conspiring to not let the organization know because they say you must talk open and freely to this sec checker but you can't talk open and freely to your spouse.

S: What?

G: That's the organizational paradonn. So we violated that because when it came to sec checking it was -- I mean she had to go through a sec check toward the end of our Sea Org experience and by that time, I mean, once you know that the whole thing is a scam, anybody can con a sec checker, because you have a certain altitude. Go ahead and ask a question. I don't care.

S: That's right.

G: You know, it doesn't read. There's no more belief in that meter. It's just a pack of garbage.

J: Are you saying that the E-Meter is not 100% effective?

G: The E-meter is at best a worthless, anti-religious artifact.

J: Thank you.

S: Don't sugarcoat it honey, give it to us straight, ok? I mean, you know, enough of this pussyfooting around stuff.

J: You feel pretty strongly about that, don't you Jerry?

S: Yeah.

G: No, it's ... irrelevant. It has no meaning. It has no value whatsoever.

J: I think the value that it has is the value that the person holding the cans has...

S: Infuses into it ...

J: Yeah, places upon it because of what he's been told or shown.

G: That's not the value. There may be some value in answering questions. There may be some value of looking into one's mind. And --

J: I agree with what you're saying. I don't disag.. I'm saying the value that it has to the organization, not to the person.

G: Oh, yes. It has the same kind of value that thumbscrews had in another era.

J: Yeah.

S: Now, Gerry, when you had all those documents and you had these boxes, did you not come across a lot of evidence in terms of not only inconsistencies in the fabrications that L. Ron Hubbard had presented to Scientology as a whole, but also things that made his past actually questionable in terms of maybe alcoholism or drug use or things that you came across that not only show him as someone who's made up these things, but showed a quite -- A man who was the antithesis of what had been presented.

G: Yeah. Yeah.

S: Tell us about that.

G: I began to see that his drug of choice in his later years were steroids. And he dosed himself with massive doses of testosterone and I remain convinced that that is what he used to keep an edge on his belligerence.

S: Interesting.

J: How did you come to find that out?

G: From his own writings.

J: Is there any way that we could look at those writings?

G: I don't know of any way of getting to them at this time.

J: Why? I know it's a simple question, but why?

G: Because the organization will not disgorge the true information which it has on Hubbard.

S: Do you think they've kept that information or do you think they've destroyed the information?

G: Both. So that there is certain aspects of what they've done and the criminal activity that they're involved in which they maintain and there're certain aspects of it which they destroy.

J: When you say the criminal activity they're involved in, do you think that the majority of Scientologists have any idea that that's going on?

S: The current Scientologists?

J: Yeah.

G: No.

S: Of course not.

J: Then?

G: When you talk about the majority -- the people at the top know.

J: Like David Miscavige and Norman Starkey and...

G: Yeah, and Gene Ingram? Sure. The people who control Scientology. And the lawyers. Oh, yeah, the Earle Cooleys of the world? Sure. They absolutely know that they're

involved in criminal activity designed to destroy civil rights of the members of the organization and the lives of anyone they perceive as enemies.

J: Can you give me two examples of civil rights that Scientology has violated?

G: Freedom of association, freedom of speech, freedom of religion.

S: Just to name a few, honey.

J: Ok. Yeah. I mean, thanks because...

S: Gerry, keep going.

J: That sort of thing I think is important. Most people don't realize that that's what's going on. Most people have no idea that that's going on. Did you feel like you were manipulated while you were in there?

G: While I was in there I don't recall that the subject of manipulation crossed my mind. I don't think I could have allowed myself to think that I was being manipulated. But...

J: Did you ever feel that way?

G: I felt absolutely controlled. But my understanding of the manipulation, the coercion, comes later.

J: After one pulls back and views it from the outside.

G: Yeah, well, I mean, technically I was inside but I had really begun to deprogram myself and so...

J: Did you tie yourself up? I mean we all know about deprogrammings. You get tied up, and ...

S: ... sexually molest yourself.

J: Did you tie yourself up and sexually molest yourself?

G: Oh, I mean, deprogramming has to do with that subject of manipulation. While you're programmed you don't know that you are being manipulated. When you're deprogrammed you realize that you have been manipulated.

J: So in order to be deprogrammed, one has to be programmed.

G: Yeah.

J: Deprogramming doesn't work on somebody who hasn't been programmed.

G: I would think that's true.

J: Yeah. I would think so too. I would think so too.

G: Accepting the word and the definition.

J: When did you leave?

G: December '81.

J: Why?

G: It was time to go. (laughter)

J: Would you tell me a little bit more about that. I mean, I believe what you're saying but not everybody knows the Gerry Armstrong story. And I think a lot of people might be most interested.

G: Ok. Well, I came to the point I guess a couple of weeks prior to that and I had been very vocal on the subject of the lies, Hubbard's lies, the organization's lies and the organization's activities. And my vocalness had come to the attention of Norman Starkey. Norman Starkey at that time was on a mission operated by David Miscavige, the purpose of which was to take care of Hubbard's legal problems so that he could come out of hiding. And Starkey one day came into my area, Hubbard archives area, and we had a conversation. And he accused me of saying things about Hubbard which were untrue. And one of the things he said was, Hubbard -- he wanted, Starkey wanted, to charge the PRs through the ages with creating the lies which I have documented.

S: Well... now hadn't that happened to a large extent? Did Lizzie and Laurel -- for a period of time, I don't know what happened to the whole thing, but they took the fall that they had made it up and they had written these falsehoods about L. Ron Hubbard.

G: But they weren't around in 1950 and 1952 and 1965...

S: No, but they were the ones who -- they had written down the biographical information on L. Ron Hubbard, how it was dictated to them by L. Ron Hubbard, per my recollection.

G: But they were not there. If you look at -- what's the book on the atom bomb, the nuclear physicist's book -- "All About Radiation". If you look at that book and if you look at the bulletins that were written in that era it says, L. Ron Hubbard, a nuclear physicist. Lizzie wasn't there. Laurel wasn't there.

S: That's true. That's so true.

G: How can you say -- I mean, it's like one thing to make those people scape goats, but those people weren't there in '56. Laurel wasn't old enough to be there in '56. She was in our generation. I mean, you know, we're the 60's. We're the baby boomers.

S: Lizzie certainly wasn't there, either.

G: Anyway, what I did was show Starkey in Hubbard's handwriting where he had called himself a nuclear physicist and Starkey just went silent and he stormed out. And a short time later I was called down to Gilman Hot Springs.

J: Do you think he had a major ARC break?

G: No, I think that he recognized that everything that he had put his life into for so many years and had done so many rotten things and attacked so many people in defense of. That he saw that that hung in the balance and he had to go one way or another. So he chose to close his mind. And he wrote to the ... one of the executives of La Quinta ... Gilman Hot Springs and requested that I be sec checked.

J: This is the Golden Ere Studios, or Golden Era Studios.

G: Right, but at that time -- I'm not sure what it is now.

S: No, cause it's at Gilman's.

G: CMO headquarters...

S: This is at La Quinta.

G: No, this is Gilman.

S: Oh, this is Gilman, ok.

G: Yeah, this is -- CMO headquarters, in any case. And so I went -- I was called to Gilman and I spoke to Cirrus Slepp. And she asked me about -- she actually showed me Starkey's report on me. And I said that I -- you know I was quite open with her.

S: Now Starkey reported that you had fabricated this information?

G: No, Starkey reported that I was criticizing Hubbard and he wanted to find out what I had been saying and what documents I had been giving to Omar Garrison because I'm working closely with Garrison, and if I'm giving Garrison documents showing that L. Ron Hubbard claimed to be a nuclear

physicist and L. Ron Hubbard lied about being a nuclear physicist and Starkey knew about many more lies...

J: The cat would be out of the bag.

G: Right. So he wanted -- they wanted to keep a lid on it. Cause his job, of course, is to continue the myth of L. Ron Hubbard. Starkey's put a whole life into doing that. He's dedicated to that illusion.

J: Starkey got into Scientology in the 60's in South Africa. So he's been in a long time, probably 30 years.

G: Yeah

J: That's a long time to put in. It's at that point 20 years.

G: Right. And he was in a position of power. And he liked those positions of power. And this is, of course, some kind of a threat. I mean, here's just some guy down there making all kinds of noise and essentially calling L. Ron Hubbard a liar.

J: You know, one of things that always... I'd always thought about in Scientology was the is-ness, as-is-ness, alter-is-ness and not-is-ness. It says in order for something to survive or continue there has to be a lie in it. And the question that always came to my mind -- the first question that always came to my mind is, for Scientology to continue it must have a lie because it says so right here. In order for anything to continue it has to have a lie. So I always wondered what the lie in Scientology was.

G: The lie is that is Hubbard's philosophy. Hubbard's philosophy is flawed. It is a corrupt, dishonest philosophy. And he was a corrupt and dishonest man.

J: You must hate his guts. You must hate his guts for a person who's ... for a person who's been loyal...

G: That which will survive is that which can never be altered. That which is altered and that which is hence unreal, that which is a lie, will not persist. Now you can try and Hubbard can try but you will not get lies to persist.

J: That's true because there's always some truth under there and they'll pull the truth out and it's fixed full of lies.

G: The truth will be there no matter what you do with it.

J: We need to go eat lunch, or dinner?

G: Oh, ok.

J: So I think that you have an appointment.

G: Yeah.

J: Before we do that, let me ask you two quick questions.

G: Ok.

J: You left in '81.

G: Right.

J: You were sued in '84.

G: '82.

J: '82.

S: Jerry?

J: It went to trial in '84.

G: Right.

S: We should just pick this up, because...

J: We will.

S: Ok, I just wanted ...

J: We will. But, I just want to get this on here. They lost the suit against you.

G: Right.

J: In '86.

S: Big time.

J: In '86. They sued you in '82. Went to trial in '84. In '86 they settled out of court with you.

G: Right.

J: For hundreds of thousands of dollars, if my sources are correct, and you don't need to verify ... or hints at all, if you can let us -- if you want to, it's fine. But there's no reason to give anything. If my sources have been correct you got \$800,000. You -- Scientology paid you \$800,000 because you knew the truth about L. Ron Hubbard. You knew the truth. And you have been harrassed and you've followed. You've been lied about. You've had people watch you 24 hours

a day for weeks on end. You've had to go through extreme mental pressure today, yesterday, even. Gene Ingram says things to you like, "Gosh, Gerry, you look like you have AIDS," when in fact you're a very healthy person and you're a marathon runner. And it's...

G: Right.

J: Settlement aside, but, these other things are correct.

G: Right.

J: These guys are still harrassing you.

G: Right.

J: And you were a loyal, loyal, Sea Org member. Never in your wildest dreams did you think, when you got into Scientology, and you dedicated your life to this, if ever they had put you in this position.

G: Right.

J: Thanks. Can we continue this?

G: Yeah.

J: Thanks.

G: Thank you.

[RESUME TAPING]

S: Hi Gerry, you left in '81.

G: Right, December '81.

S: Can you tell me what led up to your departure from Scientology?

G: Sure. I had come to the conclusion at the end of '81 that the organization was not going to reform its ways, it was not going to correct the lies L. Ron Hubbard had told about himself. L. Ron Hubbard was not going to correct the lies he'd been telling about himself. The organization was not going to change its -- what I considered -- criminal and anti-social behavior. And I knew that my days were numbered, that I could not continue to be in the organization taking the stand that I had been taking, being vocal on the subject of Hubbard's lies. So I really was faced with only one choice to make and that was to leave. So, I carefully, cautiously, and over a period of a week or ten days removed my few belongings and my wife's few belongings out of the

building and we cleaned our living space before we left. Left the few pieces of Sea Org uniform that I had, and we drove away.

S: I see. Now didn't you at this time do something rather brazen which is like -- didn't you keep some of the documentation for some period of time and send copies to the church or vice versa kept copies and sent stuff back to the church?

G: No.

S: No?

G: No, I didn't. I worked very diligently and my wife Joyce -- and Jocyn -- worked very diligently for the last couple of weeks copying whatever we could copy of the documents which I had in archives, many of which I had already copied and already provided to Omar Garrison, but I was dedicated to Garrison. I sensed, or knew, that whoever took over the biography project after I left, and I assumed that it was going to be Vaughn Young, because he'd been working with me on the project at that time and it was my expectation that he was going to take over the project, that the organization once I left would not allow Garrison the access to the materials that I had so my dedication to him, my dedication to the biography project and my dedication to the attempt to bring to light the truth brought me to copy everything I could, and what I couldn't copy and all the copies that I had remaining, I took to Garrison at the end. So I provided them to Garrison and then Joyce and I drove up to Canada. And at that time we were completely documentless. I did not have any documents. Didn't do anything with the documents for a period of time.

There came a time some months later because I began to work for Garrison outside the organization that I, at his request, copied a lot of the copies which I had given to him because he wanted to set up a separate archives because he felt that the organization was going to burglarize his place and steal the materials that I had provided to him.

So, that second set of materials was what I then provided to Mike Flynn, or sent to Mike Flynn, after I knew that the war with the organization had started, in the spring of 1982.

So, the organization's claim that I stole all these documents -- that's simply not true. I was under contract to provide the documents that I could to Garrison and I performed pursuant to that contract. It was only as a result of the organization's declaring me an enemy -- I knew that I was then fair game. I knew that the battle had been engaged. And I took it as what was the only sane thing to do. Anticipating a legal battle. In fact I was told to get a lawyer. I did.

I got Mike Flynn.

S: Okay. And so, then, how did it progress from that point, the legal battle?

G: Through the spring of '80 -- late spring of '82 and into the summer I provided sets of documents as I was able to get them from Garrison and copy them. I sent them to Mike Flynn. Some of the documents that I sent were some of the originals which I had provided to Garrison.

Some of the originals I provided to Garrison because he needed, or, we felt, that it was very good to have originals because he was considering including copies, photographs of the original documents in the biography, some of the things which were in Hubbard's handwriting and on the original paper would have been great included in the biography. So some of them he had for that reason. Some of them he had because I just didn't have time to copy them. It was our intention that Garrison would copy them and he'd provide -- give the originals back to the organization.

But some of the documents were originals, but most of them were copies which I provided to Flynn.

S: Now up to this point Mr. Garrison had been, as you'd stated before, an ally of the church. And Did he also -- was he becoming disillusioned with all this newly discovered information?

G: I think he was -- he wasn't probably as illusioned as I thought he was. He really was an intelligent man living on the outside of Scientology, and had provided as a writer a service for them in doing the books that he'd done. But he thought his own thoughts and he was independent of Scientology. And he is a -- he's a fighter in his own way, so he had already had his own battles with Scientology just to arrive at the products that he'd done.

So it came to him as really no surprise. And It was a surprise to me that it was no surprise to him. He was pretty real about the whole thing. But, he did begin to understand that he had possession of very sensitive documents and that the organization would then consider him, if not an enemy, certainly a major security threat in that he possessed these very sensitive documents.

S: Okay. So, you went to court. The Church filed suit against you, am I correct?

G: Yeah. August '82.

S: You countersued.

G: Right.

S: This was a big suit. I mean this was well covered in the LA Times. This was like a very big, visible suit. Can you tell me how that progressed and what the outcome was? And who all was involved?

G: Sure. They sued me in August of 1982 seeking to recover the documents which I had sent to Mike Flynn, and seeking damages. And the causes of action were conversion. They considered that my providing -- initially they claimed that my providing the documents to Omar Garrison was conversion because they did not know at that point that I had retained a copy of the contract to show that Garrison legitimately had the documents and that I legitimately had given Garrison the documents.

I defended the suit initially by stating that the documents were not the organization's documents but were L. Ron Hubbard's documents and L. Ron Hubbard should bring the lawsuit but L. Ron Hubbard would not come out of hiding, and he was afraid to come into court. So then Mary Sue Hubbard intervened on his behalf. And she claimed a proprietary interest in the documents.

That was the initial stage of the lawsuit. The judge in Superior Court -- I think it was Judge Coale, then ordered the documents which I had provided to Mike Flynn and to my other lawyers Contos and Bunch in Woodland Hills -- he ordered those documents be delivered to the court and they stayed within the possession of the court through the lawsuit, through the pendency of the lawsuit up until the time of settlement which was December 1986.

So, they initially sued me, and then I filed a counterclaim for the intentional infliction of emotional distress and for fraud. That then, the two cases were bifurcated -- they were split apart so that initially all that got tried at my trial, at the Breckenridge trial in the spring of 1984 was their lawsuit against me. And out of that came the famous Breckenridge decision in which he found that because of my knowledge of fair game, of organization, intelligence operations and of the fraud of L. Ron Hubbard that I was justified in going to Garrison, getting the documents that I knew about and sending them to my lawyer. So ... That was the result of that trial.

My case against them...

S: Was that a jury trial?

G: No, judge trial. My case against them did not go to trial

because that was settled. It was scheduled to go to trial. At one time in December of '86, then in early 1987. And in large part because it was scheduled to go to trial the organization settled it.

S: Now I know a lot of other executives at the time sort of -- I wouldn't say rallied around you, but, but, came to witness against the Church during this time.

G: Right.

S: And that was a big thing at the time, right, because these were some of the senior most executives of the church.

G: Uh huh. Laurel Sullivan who'd been Hubbard's public relations officer whose history went back with him through the Sea Org. Bill -- sorry, Bill Franks wasn't there. Homer Schomer. Eddie Walters.

S: Kima, didn't Kima..

G: Kima testified. Nancy Dincalci. So a number of them were, really my friends. People who I'd known inside the organization and outside the organization. A group of friends who were quite close to me and who had the courage to come forward and testify.

S: That's great. Now, your suit settled and -- bring us up to date to this point as well as how you feel retrospectively about the whole situation, what, you know, what would like to do now, are you under a gag order presently? Are you not?

G: I'll give you the history.

S: Ok.

G: So in, From 1984 after the Breckenridge decision there were a series of events -- operations that the organization mounted against me to compromise me, to set me up, to get me charged with false criminal charges, any number of things. The onslaught...

S: 1984, that was during the trial -- during your case or prior to your case or after your case?

G: They began before -- in 1982 they had PIs on me, I was assaulted, I was driven into. They tried to get me in a highway accident. They harrassed me day and night for well over a month. Then as a result of the court's comment about this kind of activity, they backed off. They kept up the legal onslaught and they deposed me in any number of cases and within my own case. And they ran operations against me. You okay?

S: Yeah.

G: But it was really after my trial in 1984 when they escalated the war. They sent around my friend Dan Sherman. You may know him. And I liked Dan. We were really close. And we hung out a lot. But the whole thing was an operation to get Dan close to me so that I could be set up. And what they tried to do through Dan was to convey to me the idea that there was a group of people inside the organization who wanted to reform it, who wanted to get rid of the criminal element at the top of the organization and have it revert to its pre-Guardian's Office, pre-criminal days. Get rid of the criminality.

S: Now, so at this point, were you supportive of that effort, on Danny's part?

G: Well, at first all it was was him telling me that there was this group of people and then he would send me messages from them. And then gradually I built up a relationship with them. These people claimed to be a core group of 35 people inside the organization who were working covertly because of their fear that should it become known that they wanted to reform the organization they said they were afraid for their lives.

S: So at this point despite everything you knew about Hubbard you must have had some faith in the technology of Scientology. Or am I wrong? Am I mistaken? I mean if you thought well we can restore this organization to its original intention to be, you know, this may be humanitarian group or maybe this ...

GA: No. No, it's more like downstairs here there could be any number of Catholics, Protestants, Jews or whatever, but I support the cause that they're involved in. It's that sort of way. I did not consider myself a Scientologist, but, if Scientologists want to continue to be Scientologists and at the same time clean up the criminal element in the organization I can support that without myself being a Scientologist. So I supported their intention of reforming the organization. And I didn't know who they were. I'd never spoken to them so it was sort of a support from a distance -- there was nothing to do. He was relaying this information to me.

Then they initiated a dialogue with me. They wanted to communicate with me. And they would send messages via Dan, the message that they really respected me for what I did, the integrity that I showed during the trial, and so on. I got a phone call one night from one of these guys just after the trial and just the day before I was to fly to London to

testify in the child custody case, the one that Jolly West quoted from today, the Latey decision came out of that trial. I went over there and testified. Well the night before I received a telephone call from one of these people claiming to be one of the 35 Loyalists. And he said, "We can get your pc folders. We know you want your pc folders. We can get them for you." "Oh, ok. What do I have to do?" "Oh, well you'll have to drive to a certain place in Los Angeles..."

S: Griffith Park.

G: No, this was a different -- I never went, I never bit. I never rose to the bait on that occasion. I said, "Well, to me this could be construed as accepting stolen property and it also could be an attempt to get ... to stop me, because of the times that were involved, to stop me from flying to London, cause they did not want me testifying in the trial. I said, "As much as I'd like the pc folders I can't do it." In any case I flew to London and testified. There, in London, I was harrassed at Heathrow Airport by private investigators. And they, in fact, wrote sworn affidavits that I was observed passing sealed documents to a bearded Arab in the Old Cock Tavern, pardon me, on a particular Tuesday night. I had in fact been at the Old Cock Tavern for lunch on the day previous but I was not there now on a Tuesday night. And the whole thing was concocted, but that's true to form of Scientology, you know, manufacture evidence. So they ... a Scientology operative will swear to anything. The fact that it's a sworn affidavit doesn't mean anything. But it was just another piece of the ongoing operation to compromise and set me up.

I returned to the U.S. and then I was contacted by two people. One of them was David Kluge, who I only knew at that time as Joey. And the other one was Mike Rinder, who I'd known from inside the organization in the Sea Org. And both of them -- and all of this was video taped, illegally, covertly, by Gene Ingram. And I didn't know at the time and I talked to them like I ...

S: This was the meeting in the park.

G: Right.

S: The famous meeting in the park.

G: Right. And there were a series of meetings in the park but I talked to them like I talk to you and I -- you know my language was atrocious. I made bad jokes. Just rotten. I had a foul mouth at the time. But I was also -- you know, I mean, I could pick up that there was something weird going on because what they would tell me off camera seemed to be so different from the questions that they're now we're sitting on a park bench and they're talking to me. And I'm ... was

completely open about the whole thing, but I also knew that there was something weird about it so a lot of what I'm saying on the video tape reflects that aspect of the thoughts that are going through my mind about how strange this is.

But there are some really funny things that occurred. If you've never seen the videos, they're very, very funny.

S: You know, I on't know, Gerry, that the videos were ever shown. What I do know is that a transcript of these meetings was published in Freedom News Journal.

G: Right. A part, part of it.

S: In part. But it was very interestingly written because it would say -- it would have a quote and it might be a sentence, and then it would say, "And then he said..." and the rest was all just like editorialized, "And then he said this and this and de-de-de-de-de-de-de-de-de-de." And then there'll be another quote. And I thought, "Well, if he said these things why didn't you just publish the dialogue? Why are you giving me your interpretation of what he actually said?"

J: True to form.

S: Of course. It amused me. I was still involved in Scientology. Still a believer. I saw this. I have to tell you, this shook me, cause I went, "This is nuts." Who could ever believe this article? And I was truly, truly committed to the organization at this point. But it really made me go, "Please, this so discredits them. Why would they do this this way?"

G: When they first broke the videos in 1985 up in the Christofferson trial, before they were shown to the jury the judge viewed the first two videos. And he viewed them in his chambers, then he came back out and he said, "These are very damaging, damaging to the church." Right. And they polled the jury after the trial. And they said that the video tapes of me only proved one thing. And that was that fair game was alive and well in 1985.

So, the Scientologists are so blinded. Here's the way I think it went down. People are reporting to Hubbard through this time that they have an intelligence connection to Armstrong. And Hubbard hates Armstrong, you know, cause I've been saying all these things. And they've been telling him that I took the documents.

S: Pull back the curtain.

G: I mean, out of what I did came the Breckenridge decision

which stated, "This guy is a paranoid, schizophrenic." I mean just the worst thing that he ever wanted to hear. But true.

But they -- the organization could never tell Hubbard the truth. And Hubbard could never hear the truth, so there's a perfect situation there for Hubbard to get partial truth and it always happened inside the organization, then he would issue an order. He would issue an order, in this case, like, "Get that into evidence. That'll destroy Armstrong." Because they're telling him, "We've got video tapes of Armstrong saying 'this,' and of course, they take one line out of context." But that's the big win that they want to convey uplines to Hubbard.

And of course, Hubbard doesn't get the whole picture, but now he has issued an order. And now they have to jump through the hoops to get those video tapes -- illegally taken, and the judge stated up in Oregon, these things are illegal. But they fought to get them in. And after the judge said they're damaging against the church, does anyone care? I had to go through the incredible embarrassment of my foul mouth, and I didn't know, you know, did I pick my nose, you know -- how did I? You know there's four hours of video tape I was just -- I was a total jerk.

S: (Laughter)

G: But I understood after a while I really -- it was terrible to me. Up in the Christofferson trial. When I knew that my friend, Dan Sherman had set me up, that the whole thing was a set-up, that they'd video-taped all of this stuff, the betrayal was so awful to me. I was suicidal for just days. I walked out of the courtroom. The judge got rid of the jury, sent everyone home, and he was busy watching these things in there. And I'm sitting, I'm alone out there in the courtroom for an hour and then someone, one of the Scinos' lawyers walked in and made some complaint about me even staying in the courtroom and so I walked outside.

And we were on the third floor of the courthouse. And there was, you know, the stairs came up like this onto the third floor and then they went around like that so there were two places where you could look down three floors onto the marble floor below. It looked just hard enough that it would do the job, just smack! I really considered it for a long time. I walked over to the railing of one of these areas and I looked down, and I was just contemplating just ending it right there. Then I realized that down below was a set of pay phones and that, you know, someone crossed over there to the payphone and I realized, you know, here I go to end it all and I take some innocent guy out walking to the payphones, so I couldn't do that so I walked over to the other one, thinking well, you

know, here's an opportunity. And there was a bank of Coke machines. And so, you know, just out to save some other poor guy, I didn't take my own life at the time.

But it was horrible. I just ... I came just so close. And I... My heart -- there was incredible pain. One night I just couldn't sleep and there was this pain and I just couldn't breathe. Awful! It went on for some days over a weekend and then into the next week. I think they had me on the stand for 10 days, 7 or 8 of which were cross-examination with the great Earle the pearl Cooley. Anyway ...

So that's what happened in 1985 and they just continued after that. Then they culled my pc folders. And they sent all the most scurrilous stuff out of my pc folders. And they put that ... filed the stuff in my case in LA Superior Court.

S: Well, you had to have of known that that was going to happen.

G: Well, I mean, you get a sense but you really can't believe it until you see it. And then you can't believe the twists that they and their lawyers put on it. You know and there was this dream I had. I had a dream up in Portland in '85 and I sent it... I've had very few memorable dreams in my life and only one or two of them have I ever written down. And this one was so vivid and so memorable that I wrote it down. And I wrote it, I think, very concisely. It was some of my very best literature because it is really tight and really good. It's also really foul. The language and the concepts are just grotesque. But it was a great dream. And I sent it to Dan Sherman because he's my literary buddy. It ends up the Scinos get it and they got that! And they want to put that into evidence in the ... the Christofferson trial!

That one; that one followed me this last year it showed up in Johannesburg in South Africa. The organization provided it to their lawyers over there to attack me with. A dream! And they twisted that -- that the fact that I had a dream was the proof of what a perverse, distorted guy I was. Anyway...

So, there was a series of things. When I first arrived in Boston, in September of '85, well October '85, they brought criminal, they attempted to bring criminal charges against me with the FBI for impersonating an FBI officer. Five times they brought either flat out criminal, or quasi-criminal contempt charges against me. And they tried the same thing in Marin County.

S: Gerry, let me stop you here for a minute. What motivates you. I mean, why on earth wouldn't you say, "I did this. I messed up. I made a wrong choice. I'm just going to go away now. And have my life and just ... you know, I have my wife

and I have our birds or..." whatever you guys had at the time. I don't remember. I used to get Christmas cards from you guys -- I think you had birds or cats or something.

G: Yeah! We had birds. That little guy could talk.

S: Nicky?

G: Mikey.

S: Mikey.

G: Right!

S: That's right.

G: Anyway, there was a period of time, December '86. It was the time of the settlement. And we'll get back to the settlement in a minute.

I felt that I really could get on with my life. And I could do a number of other things. I began to, I mean I'd always written, but I wrote seriously. I drew seriously. I spent a lot of time doing my things. I had my own life. And I maintained communication with my friends you know, who I did not disconnect as a result of the settlement. The organization may have felt that I should have or had to or that I was contracted to but I didn't do that. But I really had my own life and I wasn't involved in anyone's litigation. And I didn't have to do anything about them for a period of time.

But the organization couldn't quit. They couldn't let the Breckenridge decision stand. They couldn't let my image stand, whatever I represented to them so they continued their attack. They continued in a false -- what they call a Dead Agent pack that they put out against Bent Corydon in 1987. They did it in the Russell Miller case, in London in 1987. They filed 8 absolutely false, scurrilous affidavits regarding me, specific to me in that case.

S: And this was post-settlement agreement.

G: Post-settlement agreement. Gene Ingram provided an edited version of the video tapes -- the illegal video tapes to the London Sunday Times.

S: Now let me ask you something? In this settlement agreement, does it clearly state that this was not allowed? In the settlement agreement? I mean, were they thus in violation of the settlement agreement?

G: In my opinion, yes! Because the settlement agreement,

unless it worked two ways, didn't work at all. But if it was only one-way, then they relieved me of any duty to perform by their doing that. In other words, they cannot -- if the settlement agreement is only a lop-sided, one-sided settlement agreement, that's fine! I honor it and I'm silent. And I don't do anything to violate it. Then everything works fine as long as they don't. But as soon as they, in a new, as they would say, unit of time do something, I clearly have the constitutional right to respond and speak out. They waived the right. They had to remain silent whether it said they had to remain silent or not. Additionally --

S: Did it say? That they did? I mean, was it one of those agreements that Okay, we're just going to both let by-gones be by-gones?

G: That's exactly the words in it, yes! Anyone would interpret it that way. And anyone did. But they interpret it by saying --

S: You should let bygones be bygones and get over it but they didn't have to.

G: Not only that! That they have a right to say whatever they want and I must remain silent even if they can say that I was an ax murderer. And I must remain silent? It doesn't work. But not only that, I realized that my silence was in fact an obstruction of justice. Because all of those people who depended on my testimony, and I have great testimony regarding the fraud of Scientology, was vital to anyone who'd been defrauded by Scientology. So I felt that I really have a right and a duty now to stand up to the organization. I did not --

S: So you were feeling like you were getting over it and you wanted to leave it alone and you wanted to get ahold of your life, for a period of time until they began to lash out at you, at which point you said, "Hey, I don't need to lay down, for you to run over me."

G: Well, there was a series of -- even though they published the Corydon Dead Agent pack, even though they published the material in the Russell Miller case in 1987, shortly after the settlement agreement, I didn't do anything. And I didn't do anything until I got a series of telephone calls from Larry Heller, organization attorney threatening me with law -- with being sued if I were to even testify pursuant to a subpoena. So I knew at this point, "This has gone too far." And what happened was I was subpoena'd to testify in a deposition in the Bent Corydon case. Toby Plevin subpoenaed me. Now I had maintained some communication with Bent because he is my friend. I had not assisted him in any way in his litigation

because I had agreed not to do that but I knew that if he subpoenaed me, that that was senior to whatever settlement agreement existed.

Another aspect of the settlement agreement that you should know, was that I was told before signing it by my lawyer, Mike Flynn, that it was "not worth the paper it's printed on. You do not have to obey this. It cannot be enforced." So I signed in large part because Mike Flynn said that.

Now, in addition to that, Mike Flynn had told me through time -- and I had grown to understand that 1) the organization had attempted to assassinate him 2) it had destroyed his marriage and 3) he had to get out of the litigation for those reasons. So I was faced with, if I don't sign, then all of these other people don't get to settle, my lawyer can't get out of the litigation, it's going to go on forever, and in addition to that, I've been told by my own lawyer it's unenforceable, it's not worth the paper it's printed on. So sure, I'll go ahead and sign this thing and I will even attempt to honor it knowing that the only hope for a settlement with that organization is if they do change their spots if they do indeed turn over a new leaf, and if they do indeed repudiate fair game. They haven't done it. Hence we now are again locked in battle.

S: Now what is your present litigation with the Church of Scientology?

G: They brought a lawsuit to attempt to enforce the settlement agreement. Out of it ... in May of this last year, there was a hearing here in Los Angeles, in Superior Court, in front of Judge Sohigian. The organization claims that they got a great big win out of it and that I am enjoined pursuant to the settlement agreement. Not true! Judge specifically said that he would not enforce the settlement agreement other than one very narrow issue. The very narrow issue is that I cannot except pursuant to a subpoena, assist someone intending to file a claim or pressing a claim against the organization. Now that we are appealing even that narrow ruling, because that's unenforceable because if you construe that my... that this video could possibly indirectly help someone in the future, I can't do this. And not only that but if you consider that my existence indirectly or directly helps someone, then I am obliged to take my own life. In other words then I must stop breathing. It's unenforceable hence I feel that I am completely at liberty to associate with whomever I want, to talk to whomever I want, and I act in life that way.

And that is in part why I am here at this event now, why I came to the CAN Conference.

S: OK, so what are your further plans? I mean, you're doing great, now. You've got this luxurious long hair.

G: I want to run a 236 marathon.

S: 236 what? 236 yards?

G: 2 hour and 36 minutes marathon. And I want to..

S: That's what you do, you run.

G: I run. So I want to do that. And I want to end the litigation and I want, you know, peace for everyone. I want to reform the economic system of the world and that's mainly it. I don't have any designs on the U.S. presidency.

S: Presently.

G: No, I can't have, I'm Canadian.

S: Oh, That's right.

G: OK are we done here?

End of Tape.



IJ photo/Frankie Frost

CASH CRITIC: Gerald Armstrong of San Anselmo reflects on how the world would be a better place without money

Is money the root of problems?

Critic of cash, credit urges monetary abolition

By Richard Polito

Independent Journal reporter

Gerald Armstrong has an idea for dealing with the national debt — write it off. Forget it. It doesn't exist.

It's that easy.

The novel prescription for fixing the fiscal fiasco is only part of Armstrong's larger message that money should be abolished. No more pay checks, no more loan payments, no more taxes, and forget that \$20 you owed your brother-in-law.

Bank presidents would clean up litter. Donald Trump could get a real job. The Financial District would be a ghost town with marble lobbies — and lots of parking.

And it all starts today.

In a rare moment of realism, Armstrong admits today's deadline "is probably not going to be achieved."

Renouncing cash, credit

Armstrong, self-proclaimed founder of the Organization of United Renunciants, set the date for people who have taken his "pledge of renunciation" to stop using money. Fellow renunciants will renounce all cash and credit, stop taking money, stop paying with money, forgive all their debts and stop keeping financial records.

The critic of credit has already put his money where his doubts are. He gave it all away. And it was more than pocket change.

Armstrong won an \$800,000 settlement in a harassment suit against the Church of Scientology six years ago. Once a member of the inner circle, he is now a vocal critic.

Armstrong doesn't expect everyone to buy in from the start, just "somewhere between 1 and 11 percent."

He's a tad short. Armstrong can count only a handful of friends as converts, but he is trying to get the word out. Detailed proposals have gone out to Bill Clinton, Ross Perot and Pete Wilson (no one has tapped him for an economic advisory post just yet.) He has also written to the New York Times and other mega-media.

Ted Koppel has not called.

Money considered valueless

Armstrong is not discouraged.

The monetary messiah insists there is much about daily life that will not change. People will still go to work, shop at the market and pick out a new car every few years. They just wouldn't exchange any money along the way.

Money, in Armstrong's eyes, has no value and the existence of money has created entire industries that do nothing more than transfer mythical essences of value from one account to another.

In Armstrong's cashless Utopia, there would be total employment because people could do jobs they wanted to do and companies could employ more workers because they would not have to pay them. Farmers would still farm. Autoworkers would still make cars. Sewer workers would still shovel sludge.

And Disneyland would no longer charge admission.

December 22, 1992

David Miscavige and all other individuals who participate in the control of Scientology
C/O Laurie J. Bartilson, Esquire
Bowles & Moxon
6255 Sunset Blvd., Suite 2000
Los Angeles, CA 90028

Re: Nothling v. Scientology

Dear David and all others involved:

I am writing this to you, and the various copy recipients listed below, because there are certain things it is fair that you know. Although it is the trial in the Nothling case, which, I understand, is set for early February, that has moved me to write at this time, the idea of writing has made addressing a number of other subjects also timely.

You will recall that in June of 1991 when Malcolm Nothling called me and asked me to testify in his case in Johannesburg I wrote to the organization via Eric Lieberman to see if by initiating communication on the subject you might see that there was an answer to your litigation problems different from the one you and your erstwhile leader had been believing in and pursuing as long as any of us can remember.

Mr. Lieberman wrote back, essentially advising me you said stick it in my ear, and that more, not less litigation was going to be the same old solution; and to not expect communication other than the solidest of sorts. Copies of Mr. Lieberman's and my letters are enclosed herewith.

I did travel to South Africa in 1991 to testify, as you know, but the trial was postponed on the organization's motion. Now it's set to happen again. Again Mr. Nothling has asked me to testify, again I have agreed, and again I am writing you to see if there is any sense in attempting to unfoment this litigation.

Your public attack line that Gerald Armstrong foments litigation against you is particularly hurtful because of what I have done and continue to do to unfoment litigation. Even my signing of your settlement agreement was, in the face of your intent to hurt me, which fact is settled by the agreement itself, an act only of unfomentation.

You all should take a good hard look at the hurt your practices, certainly your litigation practices, cause in the world. And you don't have to desist in them because of anything I've said. You can knock off those bad practices for any reason you want, including because they don't work and make no sense.

All the decent people, believe me, in your organization want you to get out of the stupid attack-the-attacker business, and they'd salute you for getting the organization out of that silliness, but they're too frightened. You shouldn't frighten good people that way. It's cruel. And any thinking soul knows that you guys are only acting out of fear, so you really are not fooling anyone with your blindness and bluster.

I realize you've put your faith in really bad things, like lies and PR, threats and bullying, and really mean people, like Gene Ingram. And I'm aware that having put your faith in badness for so long, and spent so many millions of dollars to have so many bad lawyers make so many bad decisions and add so much to their brethren's bad name, it can seem impossible to quit. But you must. All it will take is the willingness to unfoment your litigation.

Eugene M. Ingram has done such nasty things to so many people in the service of your organization, you and he should be spanked. His terrible charge at the CAN convention that I have AIDS is heartbreaking, not because I have AIDS, which I don't, but because your pet pit viper personalizes and focuses your organization's institutionalized hatred.

By accusing me of having AIDS, you and Ingram attack not just me, you attack the many people whose lives have been touched by this disease, or for that matter touched by your organization, and you attack yourself. Your similar-veined attacks on other people of good will at the CAN conference, like Father Kent Burtner, has brought your organization to ignomy.

But the target of faith can be rechosen. And that is where I urge sense and unfomentation. Put your faith in what is real, what is true, what can always be depended on. Put your faith in what in people is true, unchanging and ceaselessly loving. Putting your faith in lies, PR, threats, bullying and bullies you will always betray yourself because you put your faith in nothing; and you and every being everywhere have a right to everything that nothing isn't.

Likewise don't put your faith in litigation or your use of the courts to harass. It is possible to be faithful to a higher ideal than wins in court. If you have put your faith in lies, leverage, advantage and bullying to secure a win, you have gained nothing. If you put your faith in truth, hope, charity, love, no matter the courtroom outcome you have everything; that's religion.

Since the 1991 almost trial in the Nothling case the California Court of Appeal issued its opinion in the appeal you took from the Breckenridge decision in Armstrong I, the California Supreme Court denied review, and the Court of Appeal

denied your motion to seal the appellate record. You brought and lost the motion to enforce the settlement agreement before Judge Geernaert in Armstrong I, and then you sued me to enforce it in Armstrong II.

In May Judge Sohigian issued his ruling refusing to enforce the agreement, although enjoining me from testifying unless pursuant to a subpoena. He also ruled that I did not have to not make myself amenable to service of process. I will supply a copy of the Breckenridge decision, the Armstrong opinion and the Sohigian injunction to any of the recipients of this letter upon request.

Because you didn't appeal from the Sohigian injunction, you have accepted it. I believe as well that for a valueless desire for a valueless win at any cost you also accepted his dicta; e.g. "involves abusing people who are weak," "involves techniques of coercion," "a very, very substantial deviation between [your] conduct and standards of ordinary, courteous conduct and standards of ordinary, honest behavior," "be sure you cut the deck," "make sure to count all the chips."

As a result, I consider myself free to do anything anyone can, except testify absent a subpoena. Much of what I am permitted do I am going to do. I am going to write freely, speak freely, publish, talk to the media, associate freely, and continue, until you put your faith in something more religious than what is bad in jurisprudence, to confront the injustice you bring to court.

In the next month or so I expect to initiate speaking or media events to help pay the enormous costs of this litigation. And I expect to promote my legal position within the publishing industry, because my story and my writings on the subject are literarily and commercially worthy.

I will continue to associate with and befriend all those people I consider you attack unjustly and senselessly. I will make my knowledge and support available to the Cult Awareness Network, a group of people of good will you vilify, in all the litigation you have fomented against them. I will make my knowledge and support available to any Scientologist who is afraid to go anywhere else for understanding, and to the families of Scientologists your organization has estranged. I will even make my knowledge and support available to entities like Time and people like Rich Behar in their defenses from your attacks.

I will, nevertheless, remain available to do whatever I can to unfoment your litigation. I will meet with you, talk with you, help you to find a better solution to your problems. Because of your decision to not have anyone communicate with me, no one from your organization has. I get a little lawyer

contact, lots of PI BS, an OSA hearing or deposition attender, enough psychic skirmishes for an army, but, for the life of me, no real people.

In 1991, fantastically, I was the only person in the world, other than Malcolm Nothling himself, who was willing to testify at his trial. And that was enough reason to go. In February 1993, although at this trial I probably won't be the only person willing to testify, there will still be ample reasons to go, unless the case can be resolved.

I really would rather there was no trial and I really would rather not go. Lord knows this last period has been overwhelming and the litigation behemoth terrifying; and Lord knows I have my own calling, which has nothing to do with your legal problems. So I'm willing to do a lot to unfoment the Nothling litigation, and all the tangled legal webs you've woven. But I sure can't do much if you continue to see legal warfare as the solution to your problems and continue to pay the millions your legal mercenaries say the warfare costs.

I am aware that with enough money to enough lawyers you, the leaders of your organization, can hide yourselves and make your roles in your trumped-up war seem very important. There is no doubt this is desirable, it just isn't fair. The real purpose of your little war is to facilitate your doing something different from Scientology, while all those whom you control must go through the daily grind you say you're above.

I don't fault you for doing something different from Scientology, but I do not find acceptable your holding Scientologists in bondage to your catastrophic cause, enforcing your lie that you have their best interests in mind, robbing their years of youth and vigor, and putting them at risk while you show up at the occasional ribbon cutting ceremony, lunch with lawyers and the like, sucker celebs, run PIs and intel ops, conspire, cheat, lie, steal, bully and destroy. I urge something more creative as a better idea.

Your hardworking staff members and people of good will around the world who have supported you financially and spiritually will not for much longer be fooled by your foolishness and will stop believing your lies. They will speak to each other, they will speak out against your suppression, and they will act to free themselves and their friends. You cannot much longer, as we move societally into the age of wisdom, cynically and sillily intimidate good people with threat and suppress good people with lies.

There is the matter of mitigation of damages which, because you insist your lawyers tell you what you pay them to say, you may not have heard or yet understood. In that by the Sohigian

ruling I am permitted to speak freely, write freely, publish freely, associate freely, when, it could be argued, and you have, that prior to the ruling and pursuant to the settlement agreement I was not so permitted, I have, in your attempt to enforce the agreement, prevailed.

By not appealing the Sohigian ruling you have acquiesced thereto. I am therefore due costs and fees in Armstrong II plus the costs and fees you already owe in your earlier losing and unappealed effort in Armstrong I. But in addition to the fees and costs now owing, and increasing as you protract this already lost litigation, there is the cumulative effect of your legal onslaught which, continuing after the case was lost, if not before, is in every minute malicious.

Gerald Armstrong and The Gerald Armstrong Corporation (TGAC) must also mitigate their damages. I have a duty, therefore, to end this litigation as quickly as possible. Thus I write to so many organizational recipients; thus I canvass to see if within the organization's many parts, all put at risk by their leaders' asininity and mean-spiritedness, there are people of good will who will see sense in what is in their best interest.

That after the Sohigian ruling you sued TGAC (pronounce that Tee-Gee-Ack) is silly and self-destructive. The only thing in the world Gerald Armstrong, individual, is prohibited from doing by the "injunction," is testifying about his Scientology history and knowledge without first accepting the perfunctory subpoena. TGAC only came into existence in 1987, six years after Gerald Armstrong's organization experiences ended, and a year after the Armstrong I litigation "settled."

TGAC cannot testify, with or without subpoena, about any Scientology experiences, because it has had, aside from those which have flowed from your lawsuit, none. Since no one, including TGAC, is prohibited by Sohigian from doing any of the things TGAC actually is capable of doing, it is free to do everything anyone or any other corporation can; and by not appealing the injunction you have so agreed. Thus, having no conceivably legitimate claim against TGAC, you depend on one manufactured from madness, and you must therefore dismiss the mess you've made.

There is also, as mentioned above, the fact that in order to defend myself from your attacks and to fund the defense of the litigation you have fomented I must speak and must publish. I'm sure you understand that I remain completely confident that no court, other than the odd one your mercenaries are able to compromise with bucks, babes or bull, will order me to not defend myself.

I realize you will probably claim to be offended by

everything I've written in this letter. I can't do much about that because you seem to take offense no matter what I say or write, or don't. For, *inter alia*, that reason I haven't said or written it differently. I really don't blame you for being offended and I don't expect you not to be offended; nor will I be offended if you are. I think my position is obvious and I think peace is worth doing something about, even if the fomenters of war are offended. I've used the words I've used because to me they make sense and they're a facet of my craft.

This letter is not really, however you may take it, a complaint nor an attack. It is an effort to unfoment your litigation, into which I have been, albeit for some God-given purpose, drawn. So, neither forgetting nor ignoring Judge Sohigian's admonition not to settle Armstrong II, but still hoping, with my heart crossed, here is my proposal:

1. Settle the Nothling case;
2. Settle with Ed Roberts;
3. Dismiss your complaint against TGAC and Gerald Armstrong;
4. Remove all your bar complaints against Ford Greene;
5. Pay my attorney fees and costs;
6. We will dismiss the cross-complaint and appeal;
7. Cancel the agreement;
8. Return all materials you've stolen from me at any time;
9. Pay me whatever you want, including, but not limited to, nothing.

1. Malcolm Nothling has a claim and he has survived a lot to get to trial. His costs, not much by US litigation standards, must be recognized, and he must be made whole financially, ethically and publicly. I am convinced that his daughter, but for your control of her mother and her life, would enjoy a healthy, loving relationship with her father. Therefore you must do whatever is within your power to reunite them.

2. You know about the Ed Roberts case because Ms. Bartilson interrogated me about my providing assistance to Mr. Roberts in my last series of depositions in Armstrong II, and one of your lawyers, Marcello Di Mauro, in earlier times communicated about him with Ford Greene. Ed Roberts is a friend of mine who

was sucked dry and flat out robbed by your registrars on the way to an up- or downstat week of no consequence to anyone as it turns out, and always does, but Ed.

I have found myself in the silly position of being the only person in the world willing to help Mr. Roberts against your organization. Again, I have no desire to have Mr. Roberts engage you in litigation. In fact his situation can be resolved without your fomenting not only more litigation, but more ill will and silliness. For you it is merely an accounting matter. You ripped Mr. Roberts off; now pay him what is needed to make him whole again.

Mr. Roberts' case of Scientology lies, threats, treachery and thievery, his own money then used to pay your pitiless pettifoggers to prevent him from anything resembling redress, is being played and replayed every day of the year in your orgs. I would think that the three or so million you wasted on your inane USA Today ads to counter Richard Behar's few good pages could have taken care of three hundred Mr. Roberts and done a heap of good.

All your ads did was a heap of bad: more lies, more hate, more embarrassment for Scientologists everywhere, another dead forest, and an uncharitable little delay to your victims before they are made whole. The Ed Roberts case is, in my opinion, the proof of Time's theme: that you are - all of you at the top of your organization - a cult of greed. But worse, you squander your plunder, as witness Toronto, starve the good and fatten your PIs and proctors and their proctologists. And all with the fatuous excuse of a right to defend wrongness and attack rightness because your "religion's" stupidity is, in our courts of law, beyond question.

Anyway I want to have Ed's needs taken care of toot sweet. He probably wouldn't think less of you if you didn't apologize, but I think it's a good idea and sure couldn't hurt.

3. I don't care what order everything is done in. I think whatever is most practical, sensible and ergonomically sound is the way to approach this particular program, which, I'm sure can be wrapped up in a couple of days.

4. This is easy. These Ingram-generated efforts have only served to shine a light on your invidiously scheming enterprise. All your similarly baseless bar complaints against my other lawyer, Michael Flynn, came to nothing. You should learn from the earthworms. Filing no spurious bar complaints whatsoever they demonstrate their superior philosophy.

5. Although they're in the range of, I don't think fees and costs are over \$500,000. Clearly nothing is going to happen

unless you cover my attorneys' fees and costs. To leave me with that indebtedness is unfair and unworkable. You will recall that I made a proposal in 1984, being then scared and weak: pay my lawyers' fees and costs of, I guessed, \$150,000, and I'll quit. You, and in those days, Hubbard, said no way. I, less scared and much stronger, urge you to choose again.

6. Dismissal of the cross-complaint is easy. I'll take care of it.

8. I'm aware this may for a long time remain a pettiness you'd rather not confront. But I can guarantee that if you return my materials - the Hubbard letters manuscript, the Cones, all the other materials you and your PIs have stolen from me over the years, I will not bring criminal charges, and I won't even bring the subject up again.

9. You have to cancel the settlement agreement in order to demonstrate to yourselves that it was the wrong thing in which to put your faith. You will notice that when you cancel the agreement nothing will happen. Yet you will have freed me. And that is what you should make Scientology's only business: freeing people. You will also observe that when you free me you free yourselves; in fact you cannot yourselves be free unless you free me.

Regarding my relationship with you after you cancel the agreement, that is where you must reassert your faith. Have the faith that I will neither say nor write worse things about you if you free me to do so. As you know I can say some pretty pointed things about you now just because you won't cancel that degrading document. Put faith in what occurs in silence. Put faith in the inevitable.

7. You decide. If you think I did a lousy job unfomenting your litigation, pay me zippo. Even if it all works for everyone, timing inspired and ideas a Godsend, you don't have to pay me anything. I generally don't refuse what's offered. You know how much I'm worth.

I haven't forgotten Wollersheim, Yanny I & II, the Aznarans, the CAN litigation, claimants all over the place, your government lawsuits, the rest of the settlement signatories, your taxes, nor your image and media distress, and I think it's appropriate to say that I can help you unfoment those problems as well. I would, of course, need half a chance.

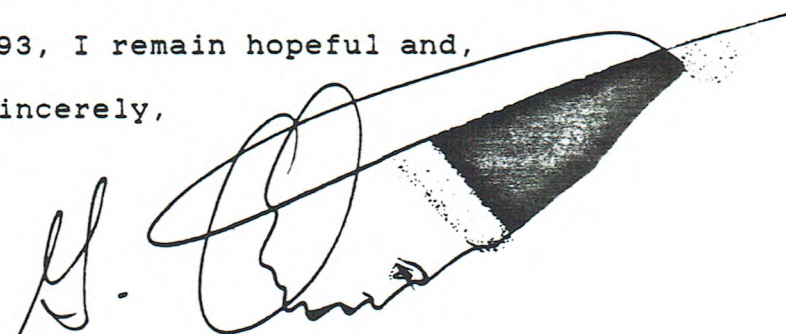
If you look deep in your hearts I believe you'll find you really do not want Scientology's legacy to be one of suppression; suppression of the Constitution, human dignity, truth, religion, justice, even suppression of your own good selves. Wouldn't it be better to be known as the people who ended the madness in

peace and style; a radical recognition of the transcendence of quantum scientology. LRH was Newtonian in his physics and relativistic epistemologically. I like to call one aspect of my philosophy, *inter alia* non-mutual exclusivity.

I believe that everyone will become a person of good will, that everyone already is, has been and will forever be, that there is progress and perfection, hope and reason, that to know who we are we must accept the truth of our relationship to our Creator, that all about us that we made is illusion, that we have reason to be grateful that is so, that our Creator, God, our Father Loves us in the same Love by which He created us and holds us always safe and always loved in that Love, that we, His children, are one and One with Him, that the means by which He is remembered, and hence our relationship, and hence who we are, and hence what we know, is forgiveness, that forgiveness is the recognizing of illusion for what it is, that creation is our nature, and that everything is all there is.

With a wish for peace in 1993, I remain hopeful and,

yours sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'G. Armstrong', with a long horizontal stroke extending to the right.

Gerald Armstrong
715 Sir Francis Drake Blvd.
San Anselmo, CA 949650
(415) 456-8450

:ga

cc: Malcolm Nothling
Ed Roberts
Lawrence Wollersheim
Richard & Vicki Aznaran
Richard Behar
Ford Greene, Esquire
Paul Morantz, Esquire
Joseph A. Yanny, Esquire
Toby L. Plevin, Esquire
Graham E. Berry, Esquire
Stuart Cutler, Esquire
Anthony Laing, Esquire
John C. Elstead, Esquire
Michael J. Flynn, Esquire
Fr. Kent Burtner

Margaret Singer, PhD.
Cult Awareness Network
Daniel A. Leipold, Esquire
Church of Scientology International
Church of Scientology of California
Religious Technology Center
Church of Spiritual Technology
Church of Scientology ASHO
Church of Scientology AOLLA
Founding Church of Scientology of Washington, D.C.
Church of Scientology Flag Service Organization
Church of Scientology of Arizona
Church of Scientology of Los Angeles
Church of Scientology of Stevens Creek
Church of Scientology of Sacramento
Church of Scientology of San Francisco
Church of Scientology of Washington State
Church of Scientology of Boston
Church of Scientology of Portland
Church of Scientology of New York

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MARIN

---oOo---

COPY

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

vs.

GERALD ARMSTRONG; MICHAEL
WALTON; THE GERALD ARMSTRONG
CORPORATION, a California for
profit corporation; DOES 1
through 100, inclusive,

Defendants.

NO. 157-680

AND RELATED CROSS-ACTION.

DEPOSITION OF:

GERALD ARMSTRONG

VOLUME IX

Reported by:
PENNY L. GILMORE
CSR No. 4724

LYON DEPOSITION REPORTING
830 SCHOOL STREET, SUITE 11
NAPA, CALIFORNIA 94599
707/226-2300

1 had with the Church of Scientology or any Church of
2 Scientology?

3 A. No.

4 Q. Where did you have your conversation with him?

5 A. In the general neighborhood of Kent Lake.

6 Q. Who is Bob Carlson?

7 A. He's a producer at KFAX radio.

8 Q. When did you discuss Scientology with him?

9 A. Well, there was an earlier time, and you know
10 about that because you sent the fax to KFAX which stopped
11 them from having me on one of their religious talk shows
12 called Life Line.

13 Recently I called him up because I am now
14 representing myself and I started there looking for some
15 assistance in the litigation of this case. When I say
16 "assistance," I was just looking for some leads because I
17 think the people who may have an interest in litigating
18 this matter are helping in this matter would be
19 Christians. So I mentioned to him a brief description of
20 what was going on in my case and and asked him for any
21 direction that he could give.

22 Q. What did he say to you?

23 A. He sympathized with my situation and he gave me
24 the name of a lawyer to contact.

25 MS. BARTILSON: Mark this as the next exhibit.

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, having personal knowledge of the following, hereby declare and state:

1. I became involved with Scientology as a customer in 1969 in Vancouver, British Columbia. I worked on staff there in 1970 and in February 1971 joined the Sea Organization (SO or Sea Org) in Los Angeles. I was flown to Spain and joined the Sea Org's flag ship, "Apollo," in Morocco. L. Ron Hubbard, the Sea Org's "Commodore," was on board and operated Scientology internationally through the "crew" which numbered, during my stay on board of four and a half years, around four hundred. All my staff positions on board involved personal contact with L. Ron Hubbard, Mary Sue Hubbard, administrative organization staff and people in the ports and countries the "Apollo" visited, and included "Ship's Representative" (legal representative), "Port Captain" (public relations officer), and "Information Officer" (intelligence officer).

2. In the fall of 1975 after the ship operation moved ashore in Florida I was posted in the Guardian's Office (GO) Intelligence Bureau connected to Hubbard's Personal Office. From December 1975 through June 1976 I held the post of Deputy LRH External Communications Aide, a relay terminal for Hubbard's written and telex traffic to and from Scientology organizations. From July 1976 to December 1977 I was assigned, on Hubbard's order, to the "Rehabilitation Project Force" (RPF), the SO prison system. In 1978 I worked in Hubbard's cinematography crew in La Quinta, California, making movies under his direction until the fall of that year when he again

1 assigned me to the RPF, this time for eight months first in La
2 Quinta, then at a newly purchased base in Gilman Hot Springs
3 near Hemet, California. When I got out of the RPF in the
4 Spring of 1979 and until the beginning of 1980, I worked in
5 Hubbard's "Household Unit" (HU) at Gilman, the SO unit which
6 took care of Hubbard's house, personal effects, transport,
7 meals and so forth, as the "Purchaser," "Renovations In-Charge"
8 and "Deputy Commanding Officer HU."

9 3. Throughout 1980 and until I left the organization in
10 December 1981 I held the organization posts in Hubbard's
11 "Personal Public Relations Bureau" of "LRH Archivist" and "LRH
12 Personal Researcher." I assembled in Los Angeles an archive of
13 Hubbard's writings and other materials relating to his history
14 to be used as, inter alia, the basis for a biography to be
15 written about the man. I also worked in Los Angeles for the
16 first few months of 1980 on Mission Corporate Category Sortout
17 (MCCS), which had the purpose of restructuring the Scientology
18 enterprise so that Hubbard could continue to control it without
19 being liable for its actions. Beginning in the fall of 1980
20 and continuing until my departure, I provided the biographical
21 writings and other materials, as I collected and organized
22 them, to Omar Garrison, who had contracted with the
23 organization to write the Hubbard biography. I interviewed
24 many people who had known Mr. Hubbard at periods throughout his
25 life, including almost all of his known living relatives. I
26 traveled several thousand miles collecting biographical
27 information and conducting a genealogy search, and arranged the
28 purchase of a number of collections of Hubbard-related

1 documents and other materials from individual collectors.

2 4. As a result of the activities described above, I have
3 become very familiar with Scientology policies, practices, and
4 policy documents. I also know that the Church of Scientology
5 of California, as part of the Scientology organization, has
6 followed and implemented these policies and practices,
7 including those described below.

8 5. Attached to this declaration as Exhibit A is a true
9 copy of a portion of volume II of The Technical Bulletins of
10 Dianetics and Scientology, by L. Ron Hubbard, the founder of
11 Scientology. It includes (at page 157) the following
12 description of Scientology's practice of using litigation to
13 harass its opponents:

14 The purpose of the suit is to harass and discourage rather
15 than to win. [¶] The law can be used very easily to
16 harass, and enough harassment on somebody who is simply on
the thin edge anyway...will generally be sufficient to
cause his professional decease. If possible, of course,
ruin him utterly.

17 6. Attached to this declaration as Exhibit B is a true
18 copy of an internal Scientology document, Guardian Order 166,
19 dated October 7, 1971. This document was written by the then
20 Guardian, Jane Kember, at that time the most senior Scientology
21 official under L. Ron Hubbard and his wife, Mary Sue Hubbard.
22 GO 166 was included in the Intelligence Course Pack which I
23 studied while I was the Intelligence Officer on Scientology's
24 ship the "Apollo" in the 1970's. This document includes the
25 following explanation that Scientology legal strategy in the
26 U.S. is to use litigation as a financial club:

27 The button used in effecting settlement is purely
28 financial. In other words, it is more costly to continue
the legal action than to settle in some fashion. ... [¶]

1 Therefore, it is imperative that legal US Dev-T his
2 opponents and their lawyers with correspondence (a
3 lawyer's letter costs approx \$50), phone calls (time
4 costs), interrogatories, depositions and whatever else
legal can mock up. [¶] One of the bright spots of US
legal is that even if you lose you don't pay your opponent
for his lawyers fees.

5 The phrase "Dev-T" is a term which Scientology uses to mean to
6 cause someone to do unnecessary work.

7 7. Since leaving the Scientology organization, I have
8 monitored the conduct of the organization, including the Church
9 of Scientology of California. I am familiar with, and have
10 been a target and victim of the "fair game" doctrine, which was
11 described by the California Court of Appeal decisions in Church
12 of Scientology v. Armstrong, Allard v. Church of Scientology,
13 and Wollersheim v. Church of Scientology. Although Scientology
14 claims that the "fair game" doctrine has been abandoned, I know
15 from personal experience that this is not true, at least as
16 recently as this year. For instance, Scientology attempted in
17 the first few months of 1993 to have me jailed for contempt of
18 court based on the false declaration of a Scientologist lawyer,
19 Laurie Bartilson, for acts which Scientology itself set up.
20 This is only the most recent of over a decade of "dirty tricks"
21 which Scientology personnel have directed at me.

22 8. From my personal experience, I know that Scientology
23 does use the litigation approach described by Hubbard and
24 Kember in the quotes above. In various cases, Scientology has
25 subjected me to over 35 days of depositions. As a paralegal
26 working on cases involving Scientology for 16 months for Boston
27 attorney Michael Flynn and for almost two years for California
28 attorney Ford Greene (to the present), I have observed

1 Scientology' litigation practices. Scientology regularly
2 attempts to bludgeon the opposition into submission with a
3 blizzard of meritless paper, motions, depositions, appeals,
4 writs, Bar complaints, criminal complaints, perjured testimony,
5 and other improper and abusive tactics.

6 9. I am also aware that Scientology uses an attack
7 strategy against judges who rule against it, which includes
8 claims of bias and prejudice and frequently personal attacks.
9 For instance, in my case, Church of Scientology of California
10 v. Armstrong, L.A. Superior Court No. C 420153, Scientology
11 twice tried unsuccessfully to disqualify Judge Breckenridge
12 from the case because of alleged bias, and levied personal
13 attacks on him, accusing him publicly of Nazi affiliation.
14 Similarly, in Aznaran v. Church of Scientology of California,
15 U.S.D.C. C.D.Cal # CV-88-1786-JMI, Scientology unsuccessfully
16 attempted to recuse Judge James Ideman because of alleged bias.

17 10. Attached to this declaration as Exhibit C is a true
18 copy of the June 20, 1984 decision by Judge Paul G.
19 Breckenridge, Jr., in the case of Church of Scientology of
20 California v. Gerald Armstrong, L.A. Superior Court No. C
21 420153, which was affirmed on appeal at 232 Cal.App.3d. 1060,
22 283 Cal.Rptr. 917 (1991).

23 I declare, under penalty of perjury, that the foregoing is
24 true and correct.

25 Executed this 4th day of June, 1993, at Oakland,
26 California.



Gerald Armstrong

EXHIBIT A

The
Technical Bulletins
of
Dianetics and Scientology

by
L. Ron Hubbard

FOUNDER OF DIANETICS AND SCIENTOLOGY

Volume
II
1954-1956

Scientology Publications

Copenhagen

Los Angeles

EXHIBIT A

*Published in
the United States of America
by*

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2723 West Temple Street
Los Angeles, California 90026

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by*

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EXHIBIT A

THE HASI WILL SEND A REPRESENTATIVE AT ONCE, BUT DO NOT WAIT FOR HIS ARRIVAL TO PLACE HIS SUIT. THE SUIT MUST ALREADY HAVE BEEN FILED WHEN THE HASI ATTORNEY ARRIVES.

In other words, do not, at any moment leave this act unpunished. For, if you do you are harming all other Scientologists in the area. When you are attacked it is your responsibility then to secure from further attack not only yourself but all those who work with you. Cause blue flame to dance on the courthouse roof until everybody has apologized profusely for having dared to become so adventurous as to arrest a Scientologist who, as a minister of the church, was going about his regular duties. As far as the advices of attorneys go that you should not sue, that you should not attack, be aware of the fact that I, myself, in Wichita, Kansas, had the rather interesting experience of discovering that my attorney, employed by me and paid by me, had been for some three months in the employ of the people who were attacking me, and that this attorney had collected some insignificant sum of money after I hired him, by going over to the enemy and acting upon their advices. This actually occurred, so beware of attorneys who tell you not to sue. And I call to your attention the situation of any besieged fortress. If that fortress does not make sallies, does not send forth patrols to attack and harass, and does not utilize itself to make the besieging of it a highly dangerous occupation, that fortress may, and most often does, fall.

The DEFENSE of anything is UNTENABLE. The only way to defend anything is to ATTACK, and if you ever forget that, then you will lose every battle you are ever engaged in, whether it is in terms of personal conversation, public debate, or a court of law. NEVER BE INTERESTED IN CHARGES. DO, yourself, much MORE CHARGING, and you will WIN. And the public, seeing that you won, will then have a communication line to the effect that Scientologists WIN. Don't ever let them have any other thought than that Scientology takes all of its objectives.

Another point directly in the interest of keeping the general public to the general public communication line in good odor: it is vitally important that a Scientologist put into action and overtly keep in action Article 4 of the Code: "I pledge myself to punish to the fullest extent of my power anyone misusing or degrading Scientology to harmful ends." The only way you can guarantee that Scientology will not be degraded or misused is to make sure that only those who are trained in it practice it. If you find somebody practicing Scientology who is not qualified, you should give them an opportunity to be formally trained, at their expense, so that they will not abuse and degrade the subject. And you would not take as any substitute for formal training any amount of study.

You would therefore delegate to members of the HASI who are not otherwise certified only those processes mentioned below, and would discourage them from using any other processes. More particularly, if you discovered that some group calling itself "precept processing" had set up and established a series of meetings in your area, you would do all you could to make things interesting for them. In view of the fact that the HASI holds the copyrights for all such material, and that a scientific organization of material can be copyrighted and is therefore owned, the least that could be done to such an area is the placement of a suit against them for using materials of Scientology without authority. Only a member of the HASI or a member of one of the churches affiliated with the HASI has the authority to use this information. The purpose of the suit is to harass and discourage rather than to win.

The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, well knowing that he is not authorized, will generally be sufficient to cause his professional decease. If possible, of course, ruin him utterly.

A D.ScN. has the power to revoke a certificate below the level of D.ScN. but not a D.ScN. However, he can even recommend to the CECS of the HASI that D.ScNs. be revoked, and so any sincere Scientologist is capable of policing Scientology. This is again all in the interest of keeping the public with a good opinion of Scientology, since

EXHIBIT B

GO 188
 To all
 A/Gs
 D/I AG, ...
 POCs
 Bur 4s

7 October 1971

11-000000

RE: BOOKS & ENTIRETA WRITTEN ABOUT SCIENTOLOGY
SI, SHI

In the UK, the following legal actions have been here on entheia books which have been written about Scientology.

1. Saturn Slaves - this was a book all about Charles Manson and hippie cults in California. In several places, throughout the book, Charles Manson was mentioned as a former Scientologist (untrue) and it was alleged that he got his start with Scientology etc.

The publishers of the book were sued for libel -- they did not serve a defence but instead asked for settlement. It was agreed that they would pay us £100 damages, together with the costs of the action. They also agreed to make an apology in open court and to discontinue publication and sales of the book.

2. A psychologist by the name of Dr. Christopher Evans was writing a book entitled '20th Century Cults'. Legal started writing to him and his publishers and later his lawyers. No proceedings were started because the book had not been published. However, endless letters were sent to and fro over a period of about a year, during which time it was made clear to the publishers and their lawyers that if they published the book, they would have to fight a legal action, which would lose them money.

Finally the publishers lawyers wrote to us to say that there was no point in continuing the correspondence because the publishers had now decided not to publish the book. As of this date the book has not been published.

3. C. H. Rolph, (small time author and journalist), was commissioned by the NAAGH U.K. to write a book on the subject of the NAAGH conflict with Scientology from their viewpoint. PHC got in touch with Rolph - Rolph came down to SH and there were a series of friendly letters. Rolph finally submitted his manuscript to PHC but, in spite of the friendly visits, it turned out that he was just a NAAGH lack and had written an attack.

Legal wrote to him and his lawyers, and pointed out that publication would be a contempt of court (because of other legal actions which we have against the NAAGH). The book has not been published.

4. "Scientology, what it is - what it does" by Rev. Morris Burrell was the first book published in the UK, solely on the subject of Scientology. Burrell had been in comm with PHC and a long series of letters had passed between them. But once again, the book when published turned out to be hostile. The front cover of the book contained the Scientology double triangle and our first thought was to begin legal proceedings for infringement of trademark. However, on reading the book, it was discovered that Burrell had mentioned a number of libel actions in which C of S was engaged and had commented upon them.

EXHIBIT B

2

Thus, being a contempt of court, legal moved the court for an order that Morris C. Durrell do stand committed to Her Majesty's Prison at Brixton and that the publishers may be so committed for their several and respective contempts".

So, legal took them to Court, and the Judge found that the book was a contempt of court. So the book was drawn from publication without any copies having been sent to the public.

The latest book is by Cyril Vosper called "The Mindbenders", a stupid bit of natter. A preview of the book was sent out by the publishers, and PRO was alerted by a phone call from a TV station, who wanted a confrontation on TV with Cyril Vosper. This gave the G.O. 24 hours to stop the book, the TV confrontation and attendant bad publicity.

The book contained numerous quotes from Scientology books and policy letters etc and contained some data which Vosper had learned on the Solo Course. Legal proceedings were brought on the basis of breach of copyright and breach of confidential relationship (meaning putting in details of the Solo Course). As time was short, PRO did a superb job of getting data, PRO did a superb job of stalling TV, and Legal went round to the Judge in the evening at his own home, to ask for an injunction. (An injunction is a Court order stopping a person from doing a particular act). In this case the injunction was to prevent the book from being sold or distributed. PRO went down to the TV station, to be ready to appear, in case the injunction was not obtained. The programme announcer had already made his introductions on Cyril and his book, when the phone rang in the studio, and our lawyer informed the producer that the injunction had been obtained. The announcer was forced to apologize to the viewers, and PRO handled the resultant tension after the programme had not gone on, with a drunken Vosper and furious producer.

The injunction was Ex parte (the other side was not present when it was obtained) and 3 weeks later legal went before the Court again for a contested hearing, to see whether the injunction should be continued or not. Legal won on both counts of copyright and breach of confidence. The other side now have 14 days in which to appeal.

The point of relating these actions is to indicate that the following countries have similar laws to Britain:

New Zealand

Australia

South Africa

Canada

There is no acceptable justification in these countries for no action being taken against the publishers and authors of enticement books. The G.O. has to act fast, effectively and with imagination. The skill required is in

- 1) Having the brains to see a possible course of action, no matter how unlikely.
- 2) Having the necessary organisation to start that action immediately and bring it to a point of confrontation and decision. (The longer the delay, the greater the chances of failure).

EXHIBIT B

- 3) Legal action is often overrated. It is a matter of timing. If you commence action, its ability lies in getting the action into court fast, without regard to the chances of winning. No-one can accurately assess in advance the chances of winning or losing, as this is a matter of individual lawyers, individual judges, how many are breaks the judge had that day, the particular circumstance of the particular case which strikes the Judge and good fortune. Good fortune never strikes you in Court, unless you are in Court.
- 4) Legal U.K. has been in courts more often in the past 3 years than the rest of the Scientology world combined. They have won more cases and lost more cases than anywhere else. They lost cases they were sure they would win, and won cases they were sure they would lose. The losses did not hurt us, and the successes established an iron clad ethics presence, which has probably prevented more enthetas than we will ever know about (24 feedback lines confirm this).
- 5) Do not worry about whether you will win or lose, but direct all effort and concentration on the legal technicalities required to achieve a legal confrontation.
- 6) It is always technically possible - though sometimes difficult, to get into Court. The most difficult part is in forcing your legal team, especially outside lawyers, to get this done, in spite of their terror of losing. It requires intention, determination and forceful persistence to get this done. Not legal genius.

Re USA

In America, where Freedom of Speech includes freedom to malign with impunity, except for old ladies and crippled men, much more imagination is required. Because of the Constitution of America, and case law on libel, inclusive of recent Supreme Court decisions, it is impossible to prevent publication of libel. Attempts to prevent a book being published are called pre-publication censorship, and are extremely unpopular legally. However, where U.S. legal has been successful is prior to Court appearances and actual trial in effecting settlement.

The button used in effecting settlement is purely financial. In other words, it is more costly to continue the legal action than to settle in some fashion. Using this, legal U.S. usually moves for retraction of the libel and/or publication of a correction or Scientology viewpoint.

Therefore, it is imperative that legal US D-v-T his opponents and their lawyers with correspondence (a lawyer's letter costs approx \$50), phone calls (time costs), interrogatories, depositions and whatever else legal can mock up.

One of the bright spots of US legal is that even if you lose you don't pay your opponent for his lawyers fees. Therefore the cost of any legal action is small by comparison with Commonwealth Countries, where the loser pays everything.

N.B.: Any legal action on enthetas publications needs the close co-ordination of PR, Legal and B4. One should carry forward without being afraid of being labelled litigious. We want the reputation that we use the laws of

EXHIBIT B

to uphold our legal and civil rights.

Legal terminals have only just been set up although the laws are different from Commonwealth and law, there are actions which can be taken if they are pushed and forced through.

Up to this point, the G.O. has been entirely swayed by our wog lawyers negative opinions but legal in charge should note the message in this Guardian order.

The message is that in combatting unethical articles and books, legal should be aggressive, fast, persistent and untiring.

Every skirmish should be treated like a major battle.

Jane Kember
Guardian World Wide

EXHIBIT B

EXHIBIT C

FILED

JUN 22 1984
JUL 1 1984

Rosie M. Hart
BY ROSIE M. HART, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

Plaintiff,

vs.

GERALD ARMSTRONG,

Defendant.

MARY SUE HUBBARD,

Intervenor.

No. C 420153

MEMORANDUM OF
INTENDED DECISION

In this matter heretofore taken under submission, the
Court announces its intended decision as follows:

As to the tort causes of action, plaintiff, and plaintiff
in intervention are to take nothing, and defendant is entitled
to Judgment and costs.

As to the equitable actions, the court finds that neither
plaintiff has clean hands, and that at least as of this time,
are not entitled to the immediate return of any document or
objects presently retained by the court clerk. All exhibits

1 received in evidence or marked for identification, unless
2 specifically ordered sealed¹, are matters of public record and
3 shall be available for public inspection or use to the same
4 extent that any such exhibit would be available in any other
5 lawsuit. In other words they are to be treated henceforth no
6 differently than similar exhibits in other cases in Superior
7 Court. Furthermore, the "inventory list and description," of
8 materials turned over by Armstrong's attorneys to the court,
9 shall not be considered or deemed to be confidential, private,
10 or under seal.

11 All other documents or objects presently in the possession
12 of the clerk (not marked herein as court exhibits) shall be
13 retained by the clerk, subject to the same orders as are
14 presently in effect as to sealing and inspection, until such
15 time as trial court proceedings are concluded as to the severed
16 cross complaint. For the purposes of this Judgment, conclusion
17 will occur when any motion for a new trial has been denied, or
18 the time within such a motion must be brought has expired
19 without such a motion being made. At that time, all documents
20 neither received in evidence, nor marked for identification
21 only, shall be released by the clerk to plaintiff's
22 representatives. Notwithstanding this order, the parties may
23
24

25 1. Exhibits in evidence No. 500-40; JJJ; KKK; LLL; MMM;
26 NNN; OOO; PPP; QQQ; RRR; and 500-QQQQ.

27 Exhibits for identification only No. JJJJ; Series
28 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ,
CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, BBBBEE,
OOOOOO, BBBBEE.

1 at any time by written stipulation filed with the clerk obtain
2 release of any or all such unused materials.

3 Defendant and his counsel are free to speak or communicate
4 upon any of Defendant Armstrong's recollections of his life as
5 a Scientologist or the contents of any exhibit received in
6 evidence or marked for identification and not specifically
7 ordered sealed. As to all documents, and other materials held
8 under seal by the clerk, counsel and the defendant shall remain
9 subject to the same injunctions as presently exist, at least
10 until the conclusion of the proceedings on the cross complaint.
11 However, in any other legal proceedings in which defense
12 counsel, or any of them, is of record, such counsel shall have
13 the right to discuss exhibits under seal, or their contents, if
14 such is reasonably necessary and incidental to the proper
15 representation of his or her client.

16 Further, if any court of competent jurisdiction orders
17 defendant or his attorney to testify concerning the fact of any
18 such exhibit, document, object, or its contents, such testimony
19 shall be given, and no violation of this order will occur.
20 Likewise, defendant and his counsel may discuss the contents of
21 any documents under seal or of any matters as to which this
22 court has found to be privileged as between the parties hereto,
23 with any duly constituted Governmental Law Enforcement Agency
24 or submit any exhibits or declarations thereto concerning such
25 document or materials, without violating any order of this
26 court.

27 ///

28 ///

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EXHIBIT C

1 This court will retain jurisdiction to enforce, modify,
2 alter, or terminate any injunction included within the
3 Judgment.

4 Counsel for defendant is ordered to prepare, serve, and
5 file a Judgment on the Complaint and Complaint in Intervention,
6 and Statement of Decision if timely and properly requested,
7 consistent with the court's intended decision.

8
9 Discussion

10 The court has found the facts essentially as set forth in
11 defendant's trial brief, which as modified, is attached as an
12 appendix to this memorandum. In addition the court finds that
13 while working for L.R. Hubbard (hereinafter referred to as
14 LRE), the defendant also had an informal employer-employee
15 relationship with plaintiff Church, but had permission and
16 authority from plaintiffs and LRE to provide Omar Garrison with
17 every document or object that was made available to Mr. ~~Hubbard~~
18 Garrison, and further, had permission from Omar Garrison to
19 take and deliver to his attorneys the documents and materials
20 which were subsequently delivered to them and thenceforth into
21 the custody of the County Clerk.

22 Plaintiff Church has made out a prima facie case of
23 conversion (as bailor of the materials), breach of fiduciary
24 duty, and breach of confidence (as the former employer who
25 provided confidential materials to its then employee for
26 certain specific purposes, which the employee later used for
27 other purposes to plaintiff's detriment). Plaintiff Mary Jane
28 Hubbard has likewise made out a prima facie case of conversion

1 and invasion privacy (misuse by a person of private matters
2 entrusted to him for certain specific purposes only).

3 While defendant has asserted various theories of defense,
4 the basic thrust of his testimony is that he did what he did,
5 because he believed that his life, physical and mental well
6 being, as well as that of his wife were threatened because the
7 organization was aware of what he knew about the life of LRF,
8 the secret machinations and financial activities of the Church,
9 and his dedication to the truth. He believed that the only way
10 he could defend himself, physically as well as from harassing
11 lawsuits, was to take from Omar Garrison those materials which
12 would support and corroborate everything that he had been
13 saying within the Church about LRF and the Church, or refute
14 the allegations made against him in the April 22 Suppressive
15 Person Declare. He believed that the only way he could be sure
16 that the documents would remain secure for his future use was
17 to send them to his attorneys, and that to protect himself, he
18 had to go public so as to minimize the risk that LRF, the
19 Church, or any of their agents would do him physical harm.

20 This conduct if reasonably believed in by defendant and
21 engaged in by him in good faith, finds support as a defense to
22 the plaintiff's charges in the Restatements of Agency, Torts,
23 and case law.

24 Restatement of Agency, Second, provides:

25 "Section 395f: An agent is privileged to reveal
26 information confidentially acquired by him in the course
27 of his agency in the protection of a superior interest of
28 himself or a third person.

1 "Section 418: An agent is privileged to protect
2 interests of his own which are superior to those of the
3 principal, even though he does so at the expense of the
4 principal's interest or in disobedience to his orders."

5 Restatement of torts, Second, section 271:

6 "One is privileged to commit an act which would
7 otherwise be a trespass to or a conversion of a chattel in
8 the possession of another, for the purpose of defending
9 himself or a third person against the other, under the
10 same conditions which would afford a privilege to inflict
11 harmful or offensive contact upon the other for the same
12 purpose."

13 The Restatement of Torts, Second, section 652a, as well as
14 case law, make it clear that not all invasions of privacy are
15 unlawful or tortious. It is only when the invasion is
16 unreasonable that it becomes actionable. Hence, the trier of
17 fact must engage in a balancing test, weighing the nature and
18 extent of the invasion, as against the purported justification
19 therefore to determine whether in a given case, the particular
20 invasion or intrusion was unreasonable.

21 In addition the defendant has asserted as a defense the
22 principal involved in the case of Willig v. Gold, 75
23 Cal.App.2d, 809, 814, which holds that an agent has a right or
24 privilege to disclose his principal's dishonest acts to the
25 party prejudicially affected by them.

26 Plaintiff Church has asserted and obviously has certain
27 rights arising out of the First Amendment. Thus, the court
28 cannot, and has not, inquired into or attempted to evaluate the

1 merits, accuracy, or truthfulness of Scientology or any of its
2 precepts as a religion. First Amendment rights, however,
3 cannot be utilized by the Church or its members, as a sword to
4 preclude the defendant, whom the Church is suing, from
5 defending himself. Therefore, the actual practices of the
6 Church or its members, as it relates to the reasonableness of
7 the defendant's conduct and his state of mind are relevant,
8 admissible, and have been considered by the court.

9 ..As indicated by its factual findings, the court finds the
10 testimony of Gerald and Jocelyn Armstrong, Laurel Sullivan,
11 Nancy Dincalcis, Edward Walters, Omar Garrison, Kima Douglas,
12 and Howard Schomer to be credible, extremely persuasive, and
13 the defense of privilege or justification established and
14 corroborated by this evidence. Obviously, there are some
15 discrepancies or variations in recollections, but these are the
16 normal problems which arise from lapse of time, or from
17 different people viewing matters or events from different
18 perspectives. In all critical and important matters, their
19 testimony was precise, accurate, and rang true. The picture
20 painted by these former dedicated Scientologists, all of whom
21 were intimately involved with LRH, or Mary Jane Hubbard, or of
22 the Scientology Organization, is on the one hand pathetic, and
23 on the other, outrageous. Each of these persons literally gave
24 years of his or her respective life in support of a man, LRH,
25 and his ideas. Each has manifested a waste and loss or
26 frustration which is incapable of description. Each has broken
27 with the movement for a variety of reasons, but at the same
28 time, each is, still bound by the knowledge that the Church has

1 in its posse. On his or her most inner thoughts and
2 confessions, all recorded in "pre-clear (P.C.) folders" or
3 other security files of the organization, and that the Church
4 or its minions is fully capable of intimidation or other
5 physical or psychological abuse if it suits their ends. The
6 record is replete with evidence of such abuse.

7 In 1970 a police agency of the French Government conducted
8 an investigation into Scientology and concluded, "this sect,
9 under the pretext of 'freeing humans' is nothing in reality but
10 a vast enterprise to extract the maximum amount of money from
11 its adepts by (use of) pseudo-scientific theories, by (use of)
12 'auditions' and 'stage settings' (lit. to create a theatrical
13 scene') pushed to extremes (a machine to detect lies, its own
14 particular phraseology . . .), to estrange adepts from their
15 families and to exercise a kind of blackmail against persons
16 who do not wish to continue with this sect."² From the
17 evidence presented to this court in 1984, at the very least,
18 similar conclusions can be drawn. In addition to violating and
19 abusing its own members civil rights, the organization over the
20 years with its "Fair Game" doctrine has harassed and abused
21 those persons not in the Church whom it perceives as enemies.
22 The organization clearly is schizophrenic and paranoid, and
23 this bizarre combination seems to be a reflection of its
24 founder LRR. The evidence portrays a man who has been
25 virtually a pathological liar when it comes to his history,
26
27

28 2. Exhibit 500-BHHHH.

1 background, achievements. The writ. gs and documents in
2 evidence additionally reflect his egoism, greed, avarice, lust
3 for power, and vindictiveness and aggressiveness against
4 persons perceived by him to be disloyal or hostile. At the
5 same time it appears that he is charismatic and highly capable
6 of motivating, organizing, controlling, manipulating, and
7 inspiring his adherents. He has been referred to during the
8 trial as a "genius," a "revered person," a man who was "viewed
9 by his followers in awe." Obviously, he is and has been a very
10 complex person, and that complexity is further reflected in his
11 alter ego, the Church of Scientology. Notwithstanding
12 protestations to the contrary, this court is satisfied that LRH
13 runs the Church in all ways through the Sea Organization, his
14 role of Commodore, and the Commodore's Messengers.³ He has, of
15 course, chosen to go into "seclusion," but he maintains contact
16 and control through the top messengers. Seclusion has its
17 light and dark side too. It adds to his mystique, and yet
18 shields him from accountability and subpoena or service of
19 summons.

20 LRH's wife, Mary Sue Hubbard is also a plaintiff herein.
21 On the one hand she certainly appeared to be a pathetic
22 individual. She was forced from her post as Controller,
23 convicted and imprisoned as a felon, and deserted by her
24 husband. On the other hand her credibility leaves much to be
25 desired. She struck the familiar pose of not seeing, hearing,
26

27 3. See Exhibit K: Flag Order 3729 - 15 September 1978
28 "Commodore's Messengers."

1 or knowing a evil. Yet she was the h... of the Guardian
2 Office for years and among other things, authored the infamous
3 order "GO 121669"⁴ which directed culling of supposedly
4 confidential P.C. files/folders for purposes of internal
5 security. In her testimony she expressed the feeling that
6 defendant by delivering the documents, writings, letters to his
7 attorneys, subjected her to mental rape. The evidence is clear
8 and the court finds that defendant and Omar Garrison had
9 permission to utilize these documents for the purpose of
10 Garrison's proposed biography. The only other persons who were
11 shown any of the documents were defendant's attorneys, the
12 Douglasses, the Dincalcis, and apparently some documents
13 specifically affecting LRH's son "Nibs," were shown to "Nibs."
14 The Douglasses and Dincalcises were disaffected Scientologists
15 who had a concern for their own safety and mental security, and
16 were much in the same situation as defendant. They had not
17 been declared as suppressive, but Scientology had their P.C.
18 folders, as well as other confessions, and they were extremely
19 apprehensive. They did not see very many of the documents, and
20 it is not entirely clear which they saw. At any rate Mary Sue
21 Hubbard did not appear to be so much distressed by this fact,
22 as by the fact that Armstrong had given the documents to
23 Michael Flynn, whom the Church considered its foremost

24
25
26
27
28 4. Exhibit AAA.

1 lawyer-enemy." However, just as the plaintiffs have First
2 Amendment rights, the defendant has a Constitutional right to
3 an attorney of his own choosing. In legal contemplation the
4 fact that defendant selected Mr. Flynn rather than some other
5 lawyer cannot by itself be tortious. In determining whether
6 the defendant unreasonably invaded Mrs. Hubbard's privacy, the
7 court is satisfied the invasion was slight, and the reasons and
8 justification for defendant's conduct manifest. Defendant was
9 told by Scientology to get an attorney. He was declared an
10 enemy by the Church. He believed, reasonably, that he was
11 subject to "fair game." The only way he could defend himself,
12 his integrity, and his wife was to take that which was
13 available to him and place it in a safe harbor, to wit, his
14 lawyer's custody. He may have engaged in overkill, in the
15 sense that he took voluminous materials, some of which appear
16 only marginally relevant to his defense. But he was not a
17 lawyer and cannot be held to that precise standard of judgment.
18 Further, at the time that he was accumulating the material, he
19 was terrified and undergoing severe emotional turmoil. The
20 court is satisfied that he did not unreasonably intrude upon
21 Mrs. Hubbard's privacy under the circumstances by in effect
22 simply making his knowledge that of his attorneys. It is, of
23 course, rather ironic that the person who authorized G.O. order
24 121669 should complain about an invasion of privacy. The

25
26 5. "No, I think my emotional distress and upset is the
27 fact that someone took papers and materials without my
28 authorization and then gave them to your Mr. Flynn."
Reporter's Transcript, p. 1006.

1 practice of culling supposedly confidential "P.C. folders or
2 files" to obtain information for purposes of intimidation
3 and/or harassment is repugnant and outrageous. The Guardian's
4 Office, which plaintiff headed, was no respecter of anyone's
5 civil rights, particularly that of privacy. Plaintiff Mary Sue
6 Hubbard's cause of action for conversion must fail for the same
7 reason as plaintiff Church. The documents were all together in
8 Omar Garrison's possession. There was no rational way the
9 defendant could make any distinction.

10 Insofar as the return of documents is concerned, matters
11 which are still under seal may have evidentiary value in the
12 trial of the cross complaint or in other third party
13 litigation. By the time that proceedings on the cross
14 complaint are concluded, the court's present feeling is that
15 those documents or objects not used by that time should be
16 returned to plaintiff. However, the court will reserve
17 jurisdiction to reconsider that should circumstances warrant.

18 Dated: June 20, 1984

19
20 Paul G. Breckenridge, Jr.
21 PAUL G. BRECKENRIDGE, JR.
22 Judge of the Superior Court

23
24 THE DOCUMENT TO WHICH THIS CERTIFICATE IS AT-
25 TACHED IS A FULL TRUE AND CORRECT COPY OF THE
26 ORIGINAL ON FILE AND OF RECORD IN MY OFFICE

27
28 ATTEST SEP 11 1984 19
JOHN L. CONCORAN, County Clerk and Clerk of the
Superior Court of California,
County of Los Angeles
BY S. Hurst DEPUTY

S. HURST

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EXHIBIT C

EXHIBIT R

Scientology in the Schools

Is L. Ron Hubbard's morals text harmless?

BY KENNETH L. WOODWARD
AND CHARLES FLEMING

When Carol Burgeson received a copy of "The Way to Happiness" in the mail 18 months ago, she read it through and decided it was the perfect non-religious vehicle for teaching moral values to her senior students at Thornton Township High School in Harvey, Ill. So Burgeson ordered more free copies of the book by L. Ron Hubbard and used them to stimulate discussions in her classes. "It seemed so harmless," she says. "Brush your teeth, do your work, don't be tardy—what's wrong with that?"

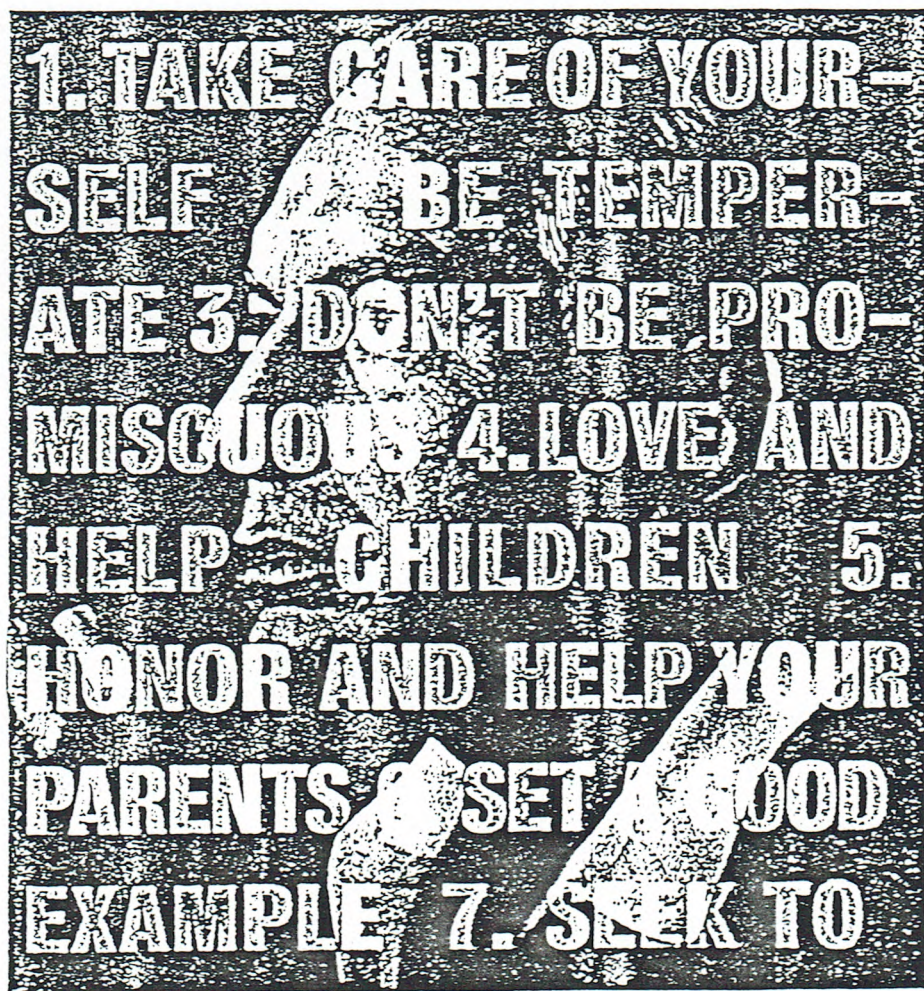
Nothing. But she was more than a little surprised to discover that the late Hubbard, who is identified in the pamphlets by name only, was the founder of the Church of Scientology, and that the pamphlets are distributed by a foundation tied closely to his controversial religion. She's not alone. With little fanfare, Hubbard's text has found its way into the nation's schools. According to the Scientologists, 8,300 public-school teachers and administrators have used the morality text since it was first published in 1981. Altogether, church officials estimate, 6.8 million pupils in 7,000 U.S. schools have studied Hubbard's moral principles; internationally, more than 34 million copies in 17 different translations have been distributed—sometimes, say Scientologists, by major corporations. "That book," says the Rev. Heber Jentzsch, president of the Church of Scientology International, "has probably had more popularity than anything Mr. Hubbard has written."

The need for books on values has long been recognized by public-school educators. Strapped for cash and under pressure from parents to deliver a values-oriented education, many teachers and administrators welcome any text that promises—as Hubbard's does—to deliver sound moral principles on a "nonreligious" basis. But when *Newsweek* checked with public-school educators who received the text, some said that they had been misled. In Brooklyn, N.Y., Lawrence Herstik, principal of PS 238, initially welcomed "The Way to Happiness" as "a values-oriented book about righteousness and peace." But he stopped using the text after he discerned "an undercurrent of a religious nature." In Bellflower, Calif., Jeanie Cash, principal of the Frank E. Woodruff Elementary School,

ordered copies of the Hubbard book but refused to put them into her classrooms when she discovered that they came from the Church of Scientology. "They sent a brochure saying it was a self-esteem program," says Cash. "I feel that I was deceived. We feel very strongly about the separation of church and state."

ling house, and promoted through The Way to Happiness Foundation, one of several independent corporations designed to propagate Hubbard's thought.

All of these putatively "secular" organizations are coordinated by the Association for Better Living and Education (ABLE), which is an organ of the church. The "Way to Happiness" book is itself part of Hubbard's extensive philosophical and religious writings, which for Scientologists, says Jentzsch, "are the same as the Bible is for Christians and the Koran is for Muslims." What makes "The Way" acceptable for public-school use, Jentzsch argues, is that students who read the book do not have to follow Hubbard's moral



Since "The Way to Happiness" claims that it is "not part of any church doctrine," Scientology officials insist that its use by public schools poses no problems. Hubbard wrote it in 1980, they report, the year the U.S. Supreme Court ruled that public schools in Kentucky could not display the Ten Commandments in the classroom. Like Scientology itself, says president Jentzsch, the book merely teaches "common sense." However, the volume is published by Bridge Publications, the church's own pub-

"Way to Happiness": Hubbard's 'secular' text

principles, while members of the Church of Scientology must.

On the surface, there is little in the book that would trouble any educator who believes in cleanli-

ness, honesty, integrity and tolerance. Among Hubbard's 21 moral principles is this curiously relaxed restatement of the golden rule: "Try not to do things to others that you would not like them to do to you."

But Hubbard's catechism is also studded with jarring axioms. It declares, for example, that "the way to happiness does not include murdering your friends, your family or yourself being murdered."

More important, anyone familiar with Scientology will find that the text uses key words and concepts taken directly from Scientology's religious lexicon. For instance, Scientology teaches that the fundamental point of life is "survival," and that only those who become the "cause" of their own actions can be truly happy. This is also a major theme of "The Way to Happiness." More significant, Scientology teaches that the truth is "what is true for you." This relativistic view is repeated with emphasis in the book. On the other hand, the text is silent about most of Scientology's central tenets: for example, its belief that people suffer from evil deeds done in past lives that the church's ministers can correct through expensive counseling courses, and its adamant opposition to psychiatry.

Front group? Critics of Scientology, including some former officials, argue that "The Way to Happiness" is primarily a recruiting tool for the church. According to Vicki Azmaran, who once served as inspector general of the Religious Technology Center, the church's highest ecclesiastical organization, The Way to Happiness Foundation is "a front group to get people into Scientology" and the book is designed "to make Scientology palatable to the masses." Another former church member, Gerald Armstrong, claims that Hubbard wanted "rich Scientologists to buy huge quantities of this book for distribution. He wanted to go down in history as a scientist or a philosopher or both." Both Azmaran, who runs a private detective agency in Dallas, and Armstrong, who works for an anti-Scientologist attorney in San Francisco, are currently locked in prolonged and bitter litigation with the church over a variety of claims.

Church officials strongly deny that "The Way to Happiness" is a lure to attract potential converts. Still, the church is anxious to broaden its appeal by promoting Hubbard's various "technologies" for combating drugs, reforming criminals, teaching morality and learning how to study—and doing it through its sundry satellites: Narconon, Criminon, Applied Scholastics and The Way to Happiness Foundation. The church's encyclopedic reference text, "What Is Scientology?", claims that 23 corporate giants have used Hubbard's study technology. Yet a check of three of them—Mobil Oil, General Motors and Lancôme—brought denials of any corporate involvement with the church. But if the nation's public schools are any measure, Hubbard's tracts will continue to turn up in the most surprising places. ■

Martyrs for Multiculturalism

Courses that students at UCLA might die for

For 20 years, the University of California, Los Angeles, has offered courses about Chicano culture and history. But last April, on the eve of the funeral of Cesar Chavez, the farm workers' union leader, officials announced that they would not create a special department devoted to Chicano studies—instead they pledged to im-

content themselves with interdisciplinary majors taught by professors from traditional academic departments. That arrangement is unsatisfactory, say the demonstrators, because faculty members have little time or encouragement to concentrate on ethnic studies. Their solution: full academic status for Chicano studies. "We cannot continue to the next necessary step without departments," says Luis Torres, an English- and Chicano-studies professor at the University of Southern Colorado who also heads the National Association of Chicano Studies. (About 17 percent of UCLA's 23,000 students are Chicano; many have not joined the campus demonstrations.)

UCLA administrators insist that a field like Chicano studies—touching on history, sociology, literature, feminism and other disciplines—is best left as an interdisciplinary program. That structure encourages the flow of ideas among Chicano-studies faculty and other specialists. Creating separate departments, says UCLA Provost Herbert Morris, encourages a "Balkanization" that the university wants to avoid. "We need the ethnic perspectives to pervade all the departments," says Morris, who does agree that the Chicano program needed improvement.

Chancellor Charles E. Young offered to take several important steps to bolster the Chicano-studies program. First, all ethnic- and gender-studies programs would be exempt from funding cuts for two

years—a critical gesture because the UC system is strapped for cash. Second, new faculty would be appointed jointly to Chicano studies and an existing department—history, say, or languages. Also, Young insists that this year's decision need not be the final one. He suggests that the idea of a full-fledged department can be re-examined in a few years. Seeking an end to the demonstrations last week, university officials offered even more funding and more faculty for the program. So far, the protesters have rejected his offers—as well as food. In a state where minorities now account for nearly half of the student body at some public universities—and sometimes more—the bitter conflict at UCLA will not be the last.

CONNIE LESLIE with ANDREW MURR at UCLA



LESTER SLOAN—NEWSWEEK

A fight to the death: Protesters at UCLA

prove the existing program. Since then, the campus has reverted to '60s-style protests. Students—mostly Chicanos—took over a faculty center, then trashed it. City police arrested 99 demonstrators. And now, on the lawn outside the administration building, nine demonstrators have taken a page from the Chavez manual, pledging to fast until a department is created—or they die.

Is this a cause worth dying for? "We are risking our lives to save lives," says hunger striker Jorge Mancillas, assistant professor of biology at UCLA's medical school. More academic attention, he thinks, will eventually pay off in a more prosperous, stronger Chicano community. But UCLA does not have separate departments for any special-interest group. Asians, blacks and women have all had to

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THIS DOCUMENT MUST
BE TYPEWRITTEN

NONPROFIT

ARTICLES OF INCORPORATION OF A COLORADO NONPROFIT CORPORATION

The undersigned person(s) acting as incorporator(s) of a corporation under the Colorado Nonprofit Corporation Act, execute the following Articles of Incorporation for such corporation.

FIRST: The name of the nonprofit corporation is: Right Against Coercive Tactics, Inc.

SECOND: The address of the initial registered office of the corporation in Colorado is _____

121 High Parkway, Golden, CO 80403

(Address must include Building number and suite number, Street (or rural route number), Town or City and Zip (code) and the

name of its initial registered agent at such address is Lawrence D. Wollersheim

THIRD: The corporation (will/will not) will not have members.

FOURTH: Provisions regarding the distribution of assets on dissolution are:

Assets will be divided equally between Cult Awareness Network, 2421 W. Pratt St.,

Suite 1173, Chicago, IL 60021 and American Family Foundation, P. O. Box 336,

Weston, MA 02193

FIFTH: The corporation shall have two directors who shall serve as the initial board of directors and the name and address of each director is:

NAME OF DIRECTOR

ADDRESS (include zip code)

Lawrence D. Wollersheim 121 High Parkway, Golden, CO 80403

Gerry Armstrong 715 Sir Francis Drake Blvd., San Anselmo, CA 94960

SIXTH: The name and address of each incorporator is:

Lawrence D. Wollersheim 121 High Parkway, Golden, CO 80403

The signature(s) of each incorporator: _____

a natural United States Citizen

COMPUTER UPDATE COMPLETE

PLEASE SEE ATTACHMENT

TR

ADDENDUM TO ARTICLES OF INCORPORATION OF A COLORADO NONPROFIT CORPORATION

SEVENTH: Statement of purposes:

This corporation is organized exclusively for charitable, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Fight Against Coercive Tactics, Inc. (F.A.C.T.) and its globally networked computer bulletin board service (BBS) will be to human rights abuses in the area of coercive psychological influence technologies what Amnesty International is to human rights abuses in the areas of physical coercion and torture. Our organization will confine its concerns to monitoring, exposing, and fighting unethical or illegal practices involving coercive psychological influence.

Our first purpose is to collect, index, computerize, and make instantly electronically available important information on past, present, and evolving coercive psychological influence technologies.

Our second purpose is to monitor and expose coercive psychological influence technology abuse wherever we find it in order to expose the true breath, scope, and growth of this technology and grave problem.

Our third purpose is to promote awareness and open dialog on the facts and opinions about the growing dangers of this rapidly evolving technology.

Our fourth purpose is to help support the development and availability of educational materials, electronic newsletters, speakers, etc. to help prevent personal, economic, social, religious, or political abuse by users of coercive psychological influence.

Our fifth purpose is to promote and empower through education individuals and organizations using existing social, legal, and legislative systems to exercise their legal rights to stop and punish the growing use and serious damage coercive psychological influence technologies create in individual lives and in society.

Our sixth purpose is to support the networking and subject related efforts of individuals or organizations for whom having, sharing, and using this information on coercive psychological influence technology is critical to stopping, recovering from, helping others recover from, or preventing abuse in this area.

Our seventh purpose is to provide additional victim and defender assistance.

EIGHTH: Limitations:

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Seventh hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

NINTH: No director of this corporation will be in any way personally liable to the nonprofit corporation for monetary damages for breach of fiduciary duty as a director except that such provision shall not eliminate or limit the liability of a director to the nonprofit corporation for monetary damages for: any breach of the director's duty of loyalty to the nonprofit corporation; acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; the act of or assent to the making of a loan by the corporation to an officer or director of the corporation; or any transaction from which the director derived an improper personal benefit. This provision does not eliminate or limit the liability of a director to the nonprofit corporation or to its shareholders for monetary damages for any act or omission occurring prior to the date when such provision becomes effective.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

--oOo--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
Not-For-Profit Religious
Corporation,

Plaintiff,

vs.

GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California Corporation, Does 1-25,
inclusive,

Defendants.

Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By:

Rosalie E. Stefani
CSR No. 3215

1 United States, and he called me in the hope of getting
2 together and visiting with me.

3 Q. And I take it from your construction of
4 that last response that he hoped in vain?

5 A. Right.

6 Q. Did you discuss any aspects of his case on
7 that occasion?

8 A. I have a recollection of discussing the
9 time of his case, and that is -- when I say that I'm
10 talking about the -- the timetable when his trial might be
11 set for, that sort of thing.

12 Q. Do you recall any other aspect of that
13 conversation?

14 A. No.

15 Q. Mr. Armstrong, you referred earlier to an
16 organization by the acronym of FACT, F-A-C-T?

17 A. Yes.

18 Q. Did you have any role in the organization
19 of that entity?

20 A. I was an incorporator, I believe, and
21 became the president of FACT.

22 Q. When did you first become involved in any
23 fashion with the formation or existence of FACT?

24 A. I think it was very close to the time of
25 incorporation, and that was in perhaps June or July of

1 1993.

2 Q. And what were the circumstances of your
3 involvement?

4 A. Mr. Wollerschiem approached me about
5 participating in the form that I did or about
6 participating in other forms, and I advised him to what
7 degree I felt I could participate. And, as a result of
8 that, he -- he put me on as the president and had sent me
9 some of the incorporating documents and related documents
10 to sign as an incorporator or director.

11 Q. When you say "Wollershiem,"
12 Mr. Wollersheim, you're referring to Lawrence Wollersheim?

13 A. Yes. Yes.

14 Q. Did he initiate this dialogue with you by
15 telephone or in person?

16 A. I believe by telephone.

17 Q. Did you have any meetings face to face in
18 addition to telephone conversations with respect to this
19 subject?

20 A. I don't recall if there were any specific
21 -- if there were any meetings like that face to face at
22 that time. I don't think there were.

23 Q. In these initials conversations with
24 Mr. Wollersheim what was the gist of any discussion about
25 the purpose of FACT?

1 MR. GREENE: With respect to that I -- I'm
2 going to interpose a privacy objection and instruct the
3 witness not to answer.

4 MR. HERTZBERG: What privacy objection?

5 MR. GREENE: Privacy with respect to FACT
6 and also an associational privacy interest as to
7 Armstrong.

8 MR. HERTZBERG: I'd like you to reconsider
9 in light of the fact that there are allegations in this
10 complaint that -- let me finish.

11 MR. GREENE: I haven't interrupted you yet.

12 MR. HERTZBERG: -- that there are
13 allegations in this complaint which relate directly to the
14 purpose of FACT and the participation of Mr. Armstrong in
15 FACT and the claims of violations of the settlement
16 agreement, which is the subject of this action.

17 MR. GREENE: Yes, I'm aware of that, and I
18 understand your position. And the ultimate resolution
19 would be the consequence of the balancing of the
20 interests, one against the other.

21 I will allow Mr. Armstrong to respond to
22 questions that are posed in terms of what his
23 understanding was. And I think you can get what you want
24 that way, but anything that's going to go into making
25 inquiries about discussions between him and Wollershiem

1 with respect to the purpose of FACT, et cetera, I won't
2 allow him to answer those.

3 MR. HERTZBERG:

4 Q. Without conceding that we're not entitled
5 to get an answer to the question as posed and objected to,
6 I will ask as a follow-up question using the formulation
7 that your counsel just gave -- what was your
8 understanding, Mr. Armstrong?

9 A. It was to -- the purpose was to create an
10 electronic means of assisting the battle against harmful
11 mind control in its various forms and through its various
12 arms, one of which -- and undeniably a major one in my
13 life -- was Scientology.

14 Q. And the battle, as you put it, against mind
15 control involved persons including involvement of persons
16 who were engaged in litigation with various church
17 entities, Church of Scientology entities?

18 A. The battle against mind control of that
19 nature is waged in virtually every forum.

20 Q. And that includes the courts?

21 A. But the -- but the FACTS part was the
22 electronic aspect of it. FACT was not a litigation answer
23 to Scientology. That's what lawyers do. This is the
24 electronic backup to that particular war.

25 Q. Okay, insofar as you refer to an electronic

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
Not-for-Profit Religious)
Corporation,)
Plaintiff,)
vs.)
GERALD ARMSTRONG; THE GERALD)
ARMSTRONG CORPORATION, a)
California Corporation; Does 1-25)
inclusive,)
Defendants.)

Case No. BC-052395

CERTIFIED
COPY

DEPOSITION OF GERALD ARMSTRONG

Volume VIII

Pages 946 - 1063

THURSDAY, OCTOBER 20, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 A. -- to produce them should I locate them, to
2 advise you and produce them.

3 Q. Then I think, obviously, we agree that if the
4 litigation is over, your obligation to produce is
5 terminated.

6 A. Okay.

7 Q. But short of the litigation terminating, we
8 would like at least to be notified if and when you locate
9 any of those responsive documents in the future.

10 A. All right.

11 Q. With respect to the FACTNET documents that
12 you've referred to, would you tell us the nature of those
13 documents?

14 I think you've already preliminarily stated
15 that there are materials that you may have sent or
16 received pertaining to FACTNET. Are these letters or is
17 it more than that?

18 A. There's a certain set of correspondence which
19 was sent to -- isn't really correspondence, it's FACTNET
20 documents which were sent to me in my capacity as a
21 director of FACTNET. And those I don't want to do -- I
22 want to make sure that I'm doing the right thing with
23 regards to acting in my capacity.

24 And the second thing is that's documents that
25 they've sent to me. And then there are certain documents

1 which I sent to them which really are contributions to
2 their database. And there's -- there are certain -- my
3 understanding is that part of FACTNET's existence depends
4 on and involves the protection of the sources for its
5 database.

6 And so I want to do what is correct so that I
7 am not doing something to jeopardize that or to do the
8 wrong thing. So I want to get a consultation with regards
9 to that.

10 Q. I can't obviously prevent you from
11 consulting.

12 A. Right.

13 Q. That's your right. And we will resolve the
14 issue of your production after you've consulted with your
15 counsel. I'm merely asking you some questions so I
16 understand what materials you will be consulting your
17 counsel about.

18 A. Right. And it is those two lists of
19 materials.

20 Q. I want you to elaborate with respect to those
21 two classes, however.

22 A. Okay.

23 Q. With respect to what you've called the
24 correspondence, do you know what time period that
25 correspondence covers?

1 A. It would be from, I believe, July or
2 perhaps -- but I believe July of 1993 through -- through
3 the point of my resignation as a director and president of
4 FACTNET in January 1994.

5 Q. And would that correspondence include letters
6 from Gerald Armstrong to others, as well as correspondence
7 from others to Gerald Armstrong?

8 A. My recollection is that other than the --
9 that my signing of documents, which were sent to me, and
10 the return of those documents, that what I'm talking about
11 is documents to me in my capacity as a director.

12 Q. From others?

13 A. Correct.

14 Q. Within this group of documents are there any
15 letters from Gerald Armstrong to others?

16 A. Other than that exception which I gave you,
17 that is, that I -- I believe that within that there were
18 documents which I signed and returned. But they were
19 not -- none of those are documents, to my recollection,
20 which were originated or generated by me.

21 Q. About how many separate documents comprise
22 this first category of FACTNET documents?

23 A. Although I have not counted them, I would
24 estimate that there were in the neighborhood of 10 to 15.

25 Q. With respect to the contributions made by you

1 to the FACTNET database, what was the time period
2 encompassed?

3 A. I believe that it would have all been within
4 the last year. And although I do not have specific dates
5 in mind, the earliest, I believe, would have been in the
6 winter of 1993, 1994. And then the -- perhaps the spring
7 of 1994.

8 MR. HERTZBERG: Let's go off the record for
9 one moment.

10 (Discussion off the record.)

11 MR. HERTZBERG: Q. What was the nature of
12 the contributions that you made during that period to the
13 FACTNET database?

14 MR. GREENE: When you say nature, could you
15 be a little more specific, please.

16 MR. HERTZBERG: Yes, I would like to know the
17 subject matter or the contents, in general, general terms.

18 THE WITNESS: Okay.

19 MR. HERTZBERG: Q. Very general terms.

20 A. Right. And I will give them to you in
21 general terms.

22 My recollection is that it included
23 declarations written by me and perhaps other writings
24 originated and written by me, and it included documents
25 which I had possessed and assembled.

1 So a lot of those documents could have been
2 exhibits to my declarations or they could have been in
3 another form, that is my recollection of the nature of all
4 of the documents which I -- which I sent.

5 And I believe that there were two, although
6 there may have been three occasions on which I sent
7 documents, which I possessed in one form or another, to
8 FACTNET for its database.

9 Q. Approximately, how many documents in total
10 would comprise this category of contributions you made to
11 the FACTNET database?

12 A. I think that it would be in the neighborhood
13 of two to three inches of documents.

14 Q. When you refer to the declarations that you
15 contributed to the FACTNET database, were any such
16 declarations declarations of yours that had not been
17 previously filed in the public record?

18 A. I don't believe so.

19 Q. When you refer to other writings, I assume
20 you mean writings other than declarations. What would be
21 the nature of those other writings?

22 A. There may have been cover notes or cover
23 letters to the documents. That's the only thing that I
24 can think of that was not a declaration. But I can't
25 presently recall everything, but I believe that if there

1 were anything, that it would have been cover letters or
2 notes of some kind like that.

3 Q. When you refer to other documents, assembled?

4 A. Or they may have been included within
5 exhibits to the declarations, or as part of the whole
6 package or packages, letters. And although I don't have a
7 specific recollection of a specific letter or even a
8 specific declaration, they could, you know, because
9 letters are often exhibits to declarations, so could have
10 been something like that. But I have no recollection of a
11 specific creative work or some, you know, a book or a
12 manuscript or a treatment for a screenplay that went to
13 FACTNET.

14 Q. Is your last answer that you just gave
15 responsive to my question about other documents assembled,
16 is that what you --

17 A. Well, you asked specifically about what were
18 the other documents which I had written, and I was trying
19 to give you my best recollection of what even could be
20 there.

21 Q. Did your contribution to the FACTNET database
22 include documents that you assembled which you had not
23 written yourself?

24 A. Yes.

25 Q. Would you tell us the nature of those

1 documents?

2 A. It's my recollection that certain, if not
3 many, exhibits to my declarations were not written by
4 myself. So there are certain documents which fit into
5 that category.

6 And then there are certain documents which
7 are an assembly of documents which are not directly
8 related to a declaration, which also include documents not
9 written by myself.

10 Q. And you gathered those?

11 A. Right, I assembled them.

12 Q. Did anyone ask you to make this contribution
13 to the FACTNET database?

14 A. Yes.

15 Q. Who was that person or who were those
16 persons?

17 A. Lawrence Wollersheim.

18 Q. Anyone else?

19 A. I don't believe so.

20 Q. When did Mr. Wollersheim first ask you to
21 make a contribution to the FACTNET database?

22 A. My recollection is that it was not long
23 after, and may have even been before, because the subject
24 had been discussed on many, many occasions or it has been
25 a -- it is what FACTNET is about. So it has been there as

June 24, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Re: CSC v. Wollersheim
Los Angeles Superior Court
Case No. BC 074815

Dear Mark:

This note accompanies the following deposition transcripts:

In Aznaran v. CSC, CV 88-1786-WDK

Vicki Aznaran: 6/21/88
6/22/88
6/28/88
6/29/88
6/30/88
7/1/88
7/7/88
7/8/88
5/9/89
5/10/89
6/15/89

Richard Aznaran: 7/14/88
7/15/88
9/7/88
9/8/88
1/23/89
1/24/89
6/12/89
6/13/89
6/14/89

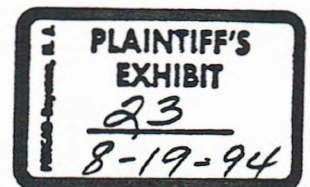
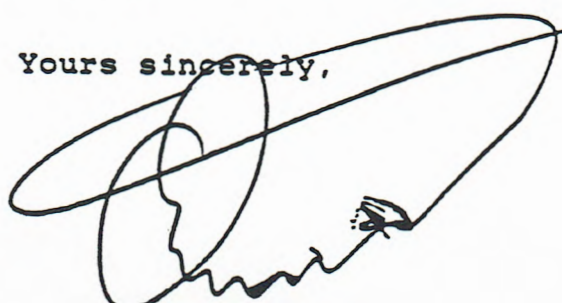
In RTC v. Scott, CV 85-7197 JMI

VA: 8/1/89
8/2/89
8/3/89

Also here are the Curtis Harmon affidavits (to keep) and
Playing Dirty (loan).

Yours sincerely,

Gerry Armstrong
c/o Hub Law



June 30, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Re: CSC v. Wollersheim
Los Angeles Superior Court
Case No. BC 074815

By Fax (510)465-1985

Dear Mark:

Here are the press contacts I initiated yesterday:

1. Daily Journal (213)229-5300; Mike Tipping; gave him history of Wollersheim litigation, significance as I see it of present actions, what's been filed, lawyers involved, July 2 hearing; he says he will advise their Superior Court reporter and if possible cover the hearing.

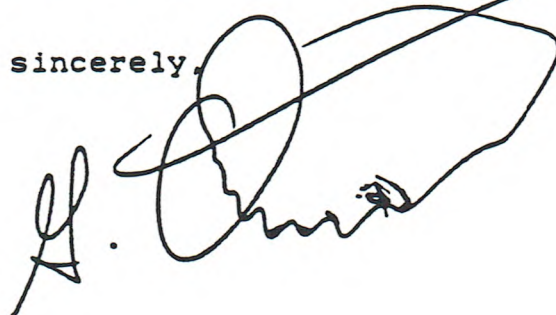
2. Los Angeles Times, Joel Sappell (800)528-4637 (ext 77043); I urged him to get a reporter assigned to this story and Scientology to get up to speed, gave him background, 7/2 hearing, etc. He asked for documents (which I'll talk to you about later today).

3. Time, Rich Behar, (212)522-4205; urged him to pass on to LA Bu. He suggested I use his name to get to Bu Chief which I will do today. He did take several minutes of notes on Wollersheim history, present situation, players, etc.

4. Newsweek, Charles Fleming in LA (310)444-5254, very interested, took a lot of notes, recently did story on "Way to Happiness," and is getting educated in Scientology; hope to be at 7/2 hearing.

Yours sincerely,

Gerry Armstrong
c/o Hub Law



Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360



IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

--oOo--

CHURCH OF SCIENTOLOGY)	
INTERNATIONAL, a California)	
Not-For-Profit Religious)	
Corporation,)	
)	
Plaintiff,)	
)	
vs.	)	Case No. BC-052395
)	
GERALD ARMSTRONG, THE GERALD)	
ARMSTRONG CORPORATION, a)	
California Corporation, Does 1-25,)	
inclusive,)	
)	
Defendants.)	

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

1 September, October of 1993?

2 A. Correct.

3 Q. Could it have been before August?

4 A. It -- it could have been.

5 Q. When did you first speak to Jennifer Cone?

6 A. I think that it was in the same time
7 period, perhaps August of -- July or August, 1993.

8 Q. And you understood her to be a reporter for
9 the Recorder?

10 A. Right.

11 Q. Where is the Recorder based?

12 A. San Francisco.

13 Q. And what was your -- what was the substance
14 of your initial conversation with Miss Cone?

15 A. I communicated -- I think that sometime in
16 the past I have been in touch with someone at the
17 Recorder, whose name I don't recall. That person had
18 given me to a -- an editor, whose name I also don't
19 recall. The editor then put me in touch with Jennifer
20 Cone.

21 Jennifer Cone and I spoke briefly, and she said,
22 send me some documents. I then sent her some documents.
23 I may have followed it up, but I think two things
24 happened. They weren't interested and Jennifer Cone moved
25 on to someplace unknown to me.

1 Q. Do you recall whether that initial --

2 A. So I had -- my communication with Jennifer
3 Cone was brief, and it was specific. My recollection is
4 the existing litigation, which then included -- I think
5 that this is the time period that we're in, the Armstrong
6 III and IV litigation, so it was during the time -- just
7 after, I believe, III and IV got filed and that my
8 documents to her included documents from III and IV,
9 probably from II, and maybe back into Armstrong I, but
10 that it was in the time period in which III and IV were
11 new and news.

12 Q. Do you have copies of the letter and the
13 accompanying documents which you have just testified
14 about?

15 A. I very easily may have the letter that went
16 with the material to Miss Cone.

17 MR. HERTZBERG: All right.

18 MR. GREENE: As to a radio FM tape, letter,
19 Cone letters, we'll research and produce.

20 MR. HERTZBERG:

21 Q. Did you ultimately have any further
22 discussions with anybody employed by the Recorder?

23 A. There was a subsequent communication in
24 which I learned that Jennifer Cone was gone. I think that
25 that is the only thing of substance that I can recall of

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

--o0o--

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
Not-For-Profit Religious
Corporation,

Plaintiff,

vs.

GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California Corporation, Does 1-25,
inclusive,

Defendants.

Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By:

Rosalie E. Stefani
CSR No. 3215

1 Talks.

2 Q. Oh, it's the Pittsburgh radio station?

3 A. Right.

4 Q. Okay, I guess I'm radio illiterate, too.

5 MR. GREENE: Word is also the name of a
6 software program that is related to computers.

7 MR. HERTZBERG: That must have been by
8 inadvertent osmosis, I assure you.

9 THE WITNESS: So that radio program is what
10 I was referring to.

11 MR. HERTZBERG: All right.

12 Q. Have you exhausted your recollection, then,
13 of any presentations, oral presentations, between March
14 and the present, March, 1993 and the present, on the
15 subject of your involvement with the Church of
16 Scientology?

17 A. Right.

18 Q. During the period between March, 1993 and
19 the present did you submit a manuscript which you had
20 titled "One Hell of a Story" to anybody?

21 A. Yes.

22 Q. To whom?

23 A. Well, although there -- there would be --
24 for privacy interests there would be some of them that I
25 wouldn't -- won't get into, I submitted it to the

1 copyright office, and I submitted it to the -- I think
2 it's Writer's Guild, and I submitted a copy of it to ETV.

3 Q. When did you submit it to the copyright
4 office?

5 A. It was probably July of 1993.

6 Q. And when did you submit it to ETV?

7 A. Within that same time period, maybe a few
8 weeks later, something in that time.

9 Q. To your knowledge has the manuscript "One
10 Hell of a Story" been published anywhere?

11 A. No.

12 Q. Does it recite your experiences in the
13 Church of Scientology?

14 A. Yes.

15 Q. Now, with respect to your refusal to
16 identify other persons I'm going to ask you the question
17 again, because we have to make a record.

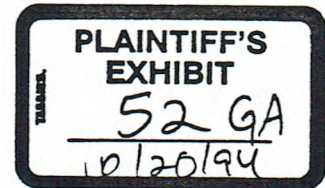
18 Other than the submission to ETV, to the
19 copyright office and to the Writer's Guild, to whom did
20 you furnish a copy of your manuscript titled "One Hell of
21 a Story" between March, 1993 and the present?

22 MR. GREENE: I object based on privacy and
23 based on first amendment associational rights.

24 MR. HERTZBERG: All right, are you
25 instructing him not to answer?

July 4, 1993

Lawrence Wollersheim
121 High Street
Golden, CO 80403



Via Fax (303)652-2945

Re: FACT

Dear Lawrence:

Happy Independence Day!

Initially I see my day-to-day involvement with Fact (which for a certain time I imagine will be mainly BBS activities) as minimal. I say this for two reasons: 1. I cannot logistically nor logically remove myself at this time from Ford's law office or even add a few minutes of daily time outside the office; 2. when I do move on from the law office being my maintime daily duty in life it is my desire to pursue in a concentrated fashion some of my projects which only I can pursue.

We may never have talked about these projects, but they are dear to my heart and I think socially vital, timely and overdue. One of these projects, the Organization of United Renunciants, aligns, in fact, with FACT because it addresses and attempts to resolve the psychologically coercive use and destructive effect of money; and money certainly plays a big part in coercion in most of its forms. OUR Program will at some point bring me into direct conflict with those who would want the present economic system to continue (which it is generally agreed are those who control and benefit extravagantly from it); although being in direct conflict with such people is not new to either of us. I mention this in addition to the fact of OUR existence in case you did not want that potential degree of political confrontation that close to you.

I have felt for some time that I will be given wordly fame first of all for being given the formula for the Unified Field (I hope that this is as funny for you as for me). I think that the Scientology conflict will be put in perspective by the formula, which cannot be separated from the other aspects of my life with their own literary and societal significance. In the hard literature realm, as I mentioned a couple of weeks back, I have registered a treatment of my Scientology experiences for motion picture purposes. I will now forward with a synopsis of the later years to possible producers. This project, I think, will be where many of my hours in the next couple of years will go, and will bring me into direct conflict with the Scientology organization on its beachhead in Hollywood.

Not finally, because I have projects stacked up for several lifetimes, but excitedly at least, there's the Runners Against Trash. Since you've so kindly included me in your projects, I'd

Lawrence Wollersheim
7/4/93
Page 2. _____/

like to offer you the Golden Franchise. All the trash you can carry, your own RAT Bag_R, fab flexibility, and what a way to meet babes. By mid-1994 the RATs should have the US white-gloved and be ready to take on Africa.

Well, anyway, I have other causes calling out to me for my time.

Which brings us to a what may be a golden opportunity: Vaughn Young. If he is not an org operative (and I have no reason to believe he is, other than the fact that he would be the perfect person to be an org operative if he were one) he may be the perfect person to work with you on the BBS in all of its aspects and applications.

Vaughn and Stacy have been out since 1989. They were both in the GO in PR and then worked on PR, publications, etc. Vaughn took over from me as the LRH Archivist after I left in December 1981, and in fact testified against me at my trial in 1984. He's computer literate, a top researcher, excellent writer, and wants to make a statement in his line of work; which happens to be your line of work. He has set up a BBS already, has time, works fast and is looking for work to work fast at.

I think that with a very few safeguards it could be a tremendous opportunity for Vaughn and for you and FACT. One of the safeguards is a briefing secrecy agreement, another is an employment agreement, and another is the bottom-line power resting in FACT's directors.

And that brings us to my foreseeable involvement. I believe the idea and the plan are courageous, creative and worthy, and I am glad to be able to play a role in FACT, no matter what that role is. I see that role for now being strategy, planning and consultation. I do not see me being on a payroll or being paid for what I can do to help at this time. Therefore I don't see being a signatory on a bank account as necessary or worth the paperwork. It's already a fact that FACT will collect my signature on documents considerably more valuable than checks, and my guess is you'd not want a signatory so geographically disjointed. I will certainly, for now at least, sign any checks made payable to me, for practically any figure, and if you think it's sensible right now for me to sign checks made payable to other people, I'll listen to your argument. But my areas of possibly useful expertise - research, logic, intuition, wisdom - I will give whenever they're asked for.

Here are Vaughn's data:

P.O. Box 233

Lawrence Wollersheim
7/4/93
Page 3. _____/

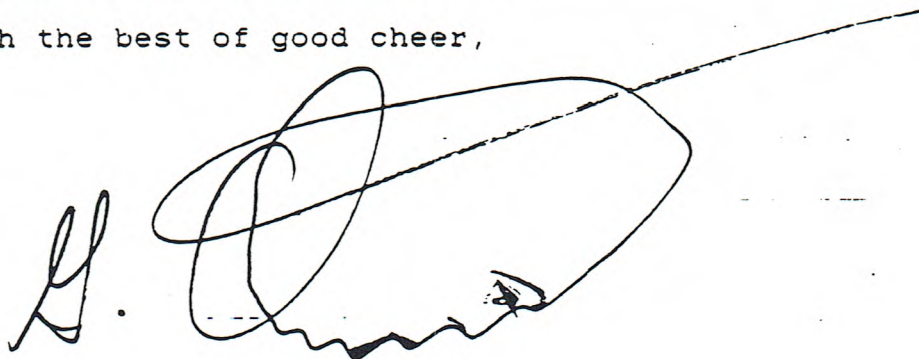
Corona Del Mar, CA 92625

713 Marguerite
Corona Del Mar, CA 92625

(714)640-7151
BBS (714)640-1391 (lv msg for "TBA")

Regarding the Articles, By-Laws, Minutes, etc. I want to talk to Ford and another person and I hope to complete the meetings and my preparation of what I can answer and what questions I have by 7/6/93, at which time I will call you and we can discuss where we're at and the next step. I understand you're waiting on my signature and further involvement, and I have the firm intention of giving you my signature and being further involved and supporting your project, FACT.

With the best of good cheer,

A handwritten signature in black ink, appearing to be 'G. Armstrong', with a large, loopy flourish extending from the end of the name.

Gerry Armstrong
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960

(415)456-8450

Hub Law (415)258-0360
FAX 456-5318

TO: BOWLES & NOXON

AUG-17-'93 TUE 08:26 ID:W

TEL NO: 415-394-8567

#626 P03

AUG 15 '93 19:24 HUP LAW FORD GREENE 415-456-5318

P.2/6

August 15, 1993

Andrew H. Wilson, Esquire
Wilson, Ryan & Campilongo
235 Montgomery Street
Suite 460
San Francisco, CA 94105

BY FAX (415) 954-0938

Re: CSI v. GERALD ARMSTRONG;
MICHAEL WALTON;
TEE-GEE-ACK,
Marin Superior Court No. 157680

Dear Mr. Wilson:

The above-referenced lawsuit has become Armstrong IV, and CSI v. Gerald Armstrong and Tee-Gee-Ack, LA Superior Court No. BC 084642, is Armstrong III. Armstrong II and I you and I and the courts are all clear about already.

What you have done in filing this lawsuit which you know to be bogus is dishonorable. I am preparing a litigation resolution, but it is a huge, month-consuming task, and I thought maybe there was still an opportunity for something different from litigation which could end it right away. As you know this is what I've tried to do for over 11 years, without, as you also know, much success. Nevertheless, I will attempt again an appeal for sense, so am writing you, this lawsuit's executioner, this letter.

So far, because nobody has come forward to say what I say I am having to say it myself. Appealing first to your fiscal psyche (you wouldn't argue that you're in it for the money, right?) I have spent some forty-one hours on IV, so let's say, \$2255.00, and \$400.00 costs. I'm not sure what Michael Walton's fees and costs are, but I'm fairly sure that if you decided to dismiss the complaint and withdraw the lis pendens immediately he would not object, and would be, I think, fair, in not only fees and costs but damages. An apology would be helpful, but I doubt that he'd even ask for one, let alone insist. In any case, now, as always, is certainly the time, if sense is to be a factor in this senseless lawsuit.

Having said that, I should acknowledge that I am not unaware of the fact that you have a monstrous monetary motivation to have the attacks on your client's "enemies" go on the rest of your career. There is some risk in this to your money mountain, of course, because a malicious prosecution action becomes so obvious in this litigation's solution to itself. Do not therefore, transfer any of your assets from this day forward, because there exists from the time of your first threat in the Armstrong II depositions, and, for your client, from December 6, 1986, a claim, regarding which I urge you to transmit a copy of this

Andrew H. Wilson, Esquire

August 15, 1993

Page 2

letter to your insurance carrier. I also urge you to divulge to your carrier all of the facts known by you to underlie not only the Armstrong IV complaint, but II and III, which you have also prosecuted maliciously. If you didn't have a clue about what you were up to before this, please let this be clear notice. While you're at it, be sure to not withhold all the statements you're aware of that I've made that I represent to be fact, and which I say underlie I through IV. If I handled your insurance I would sure tell you to either dismiss IV, or get out of it if your client refuses to allow you to; and the same with II and III. If you're not depending on insurance, but your client's promise to pay for your defense and damages, I suppose I'd have to admit that to prolong your career you'd want to generate as many malicious lawsuits as humanly possible.

There is, then, the matter of your career, short, long or prolonged. I may have a different idea from yours about lawyers, good ones and bad. It's easy to see, in order to stay blind, that making a mess of money, by any means, makes a lawyer good. To me, money and goodness are, in all arguable relationships, unrelated. It is honesty, fairness, discipline, sense and support for those things in justice's system that make goodness in lawyers. Some good lawyers are rich, some are poor. Some bad lawyers are rich, and some again are poor, but all bad lawyers are dishonest, unfair, undisciplined and dense, and it's they who give their profession the reputation it shouldn't deserve. As I said, however, you may have a different view, perhaps something more Hubbardian, of a career in goodness or badness.

Please do not kid yourself that because I have not been destroyed utterly, as Hubbard ordered in his basic litigation policies, your lawsuits are not terrifying, and do not profoundly distress me. Only a madman, even in this litigious land, is not threatened by being named a defendant in any lawsuit to which our courts give numbers and their awful power. Only Rip Van Winkle would not recognize your client as the most vicious litigation machine this land has ever beheld. I am neither mad nor Rip.

You and I both know that your lawsuits are frivolous; but please also realize that I am aware that you know that the fact of their frivolousness does not diminish their danger. In fact, as we both know, their frivolous nature adds to the threat. The organization, as you know, because you know of intel ops going down all the time and sign your name to much of the frivolity, uses litigation to cover, divert attention from, and render incredible or plausibly deniable what's really going on: its secret war of secret meetings, secret orders, secret operatives, secret files, secret accounts, of ambushes, assaults, arsenals and abominations. The latest frivolous flurry - Armstrong III and IV, and their now growing case files - I view as a render-

Andrew H. Wilson, Esquire
August 15, 1993
Page 3

incredible operation. Your client's position would be, "Why would we kill Armstrong; after all we had just sued him and expected to get a judgment against him for millions of dollars?" If you consider in your assisting of your client that it is too rational or controlled to engage in something as unseemly as assassination, please be on notice that it is neither.

You know me. You've deposed me. You've seen me in courtrooms and hallways. You've read my letters, and either read dozens of my deposition transcripts and volumes of my declarations, or you've deliberately not read them in order for rotten reasons to keep yourself ignorant. You promised to ask your client, David Miscavige, to return the manuscript he had stolen from my car. You've read my IRS book manuscript. You know of operations, PIs, intel, lies, assaults, a list of lawfirms, lawsuits, lawyers and losses as long as your leg. You know that thousands (the org has been saying six million for twenty years; but in any case plenty) of persons around the world are available as perjurers, paralegals or pawns to assist you to assist your client in its litigation goals.

The obvious goals of the II, III and IV litigation package are to silence me and take revenge for my refusal to be silenced. In furtherance of those goals, in Armstrong IV you seek to take away my friend Michael Walton's house, cause him and his family trouble, and in all your lawsuits to cause me trouble, and attack Tea-Gee-Ack's assets and cause it trouble. The organization has other goals in the Armstrong litigation that really are intended to feed its insatiable intelligence appetite, which it camouflages with the uproariously transparent label of "legitimate discovery." It should be clear after three years (using your also uproarious date of February, 1990), three lawsuits, three shots at contempt, more than three media mentions, at least three more books on the subject, and a screen play, that I cannot legally be silenced. Your client's waivers of any right or standing to enforce the now unmercifully silly settlement agreement are strewn along the litigation's length. That aspect of your war with me has long since been lost. The courts of this country have not acceded to your demands that I be silenced, and now they never will.

Without a prayer of achieving its litigation goal of silence, the organization is left with only naked revenge for my rejection of its suppression. Our courts, as you might remember, have often acted to prevent their participation in litigation for revenge; often enough, I would think, to give pause to anyone but the completely insane who would contemplate their use for that base purpose. Revenge itself, a basic Hubbardian policy, although not an invention for which either his estate or the organization holds the patent, is what makes the completely

TO: BOWLES & MAXON

AUG-17-'93 TUE 08:29 ID:W

TEL NO. 415-394-806

H626 P06

AUG 15 '93 19:26 HUB LAW/FORD GREENE 415-456-5318

P.5/6

Andrew H. Wilson, Esquire

August 15, 1993

Page 4

insane completely insane and certainly insane enough to blind themselves to how crazy revenge really is. It can never accomplish its goal, has no real effect, but since its practitioners consider its effects real (otherwise why indulge in it) it does have the apparent effect of rendering them crazier and crazier. That effect is apparent in the 4 Armstrong cases; the practitioners therein have become crazier and crazier.

There is a legal point, concerning which revenge admittedly may have blinded you, that, even if you decide not to dismiss or exit Armstrong IV, I request that you respond to immediately. You have claimed that:

"Beginning in February, 1990, and continuing unabated until the present, Armstrong has breached the Agreement wilfully and repeatedly, including, inter alia, the provisions of Paragraph 7(D) of the Agreement which require Armstrong to pay plaintiff liquidated damages for each such breach." (Complaint, p. 7, para. 22)

The settlement agreement states at page 8, para. 7(D) that the organization "would be entitled to liquidated damages in the amount of \$50,000 for each such breach." If my breaching of the agreement has continued unabated, there could have been but one breach from February, 1990 forward. Your breaking of that big, bountiful and, as you say, unabated, breach into artificial parts is a contrivance to pad your client's damages, which is, funnily enough, frigging fraud; and I would appreciate your addressing of that damage padding fraud in your response to this letter.

I have written you and Ms. Bartilson before on the subject of mitigation of damages, and I have felt that it is something you have both not well understood, but I will try again here. I have a duty to mitigate damages, and I am damaged each time you tack on another 50 B's for every artificial part into which you divide my life. You have also noted, as I've noted above, that my breaching of the agreement has continued unabated since 1990. It is my duty, therefore, to continue that breach unabated until the agreement is rescinded and no longer exists to be breached. This letter thus also serves to advise you and your client that I am continuing unabated. Please also advise your client to not waste its victims "donations" sending around its camera-toting FIs to try to catch me in an instant when I am doing something other than my unbroken breach. If I am not heard to be breaching the agreement at any moment, I have not stopped doing so, but am just between words or breaching in a whisper. Even in my sleep, though I may not be somniloquizing, I am in every instant breaching the agreement. Please be assured that it is my intention to thus do without ceasing whatever I can to mitigate my damages; and your client's. Even a fool would see that it would be stupid of me to belay my thus far unabated breach, because your client will just do something, as it has done, also

TO: BOWLES & MOXON

AUG-17-'93 TUE 08:30 ID:W

TEL NO: 415-394-8561

#626 P07

P.6/6

AUG 15 '93 19:27 HUB LAW/FORD GREENE 415-456-5318

Andrew H. Wilson, Esquire

August 15, 1993

Page 5

relatively unabatedly, from December, 1986 through present time, to force, goad, trick or trap me into a second breach. Obviously the resolution lies in what I've been saying for years: rewrite the settlement agreement.

If you haven't sensed that your client is paying you to give it only bad advice, please do so now. If you're being paid to not advise your client, be advised that practically anyone (even I) can give it the same advice for practically nothing. I actually do have some advice for both you and your client. Please, look into your hearts and truly question the sense of what you do. If you have trouble looking into your hearts, give me a call because I can help.

And that brings us to the non-litigation resolution of your client's problems, which is really the purpose of this letter. If I really desired to foment litigation, as you repeat so religiously, would I honestly have been so dedicated through all these years to having your client realize the futility of litigation as the solution to its problems? The fact that it sees litigation as a solution is really why its problems persist. Honest, open communication would work, but your client refuses to try it, opting instead for the avoidance of communication by hiding behind layers of lawyers and litigation. Its communications not screened through its lawyers are dishonest and secret. Its leaders hide behind their "own" lawyers and layers of lies and should not be its leaders because its people deserve in their leaders courage, honesty and openness. So again, I extend to you and to your client the invitation to meet with me honestly and openly for the purpose of communication towards the resolution of our conflicts. I will wait until August 17 before I do anything more with this letter. I'm now up to 45 1/2 hours and working hard.

Please look in your hearts and see what you find there.

With a prayer for peace, I remain, yours sincerely,

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415) 456-8450

Hub Law Offices
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415) 258-0360
Fax 456-5318



EXHIBIT AA

**ENTERTAINMENT TV
STARS AND SPIRITUALITY**

**TRANSCRIPT OF VIDEO (Portion with Gerald Armstrong)
August 5, 1993**

[SHOT OF ARMSTRONG, looking at legal papers]

GREG AGNEW: Gerald Armstrong says that leaving Scientology in 1982 wasn't that easy for him.

[SHOT OF PAGES OF MEMORANDUM OF INTENDED DECISION]

GREG AGNEW: In litigation Armstrong testified that he wanted out, after working for Hubbard and discovering documents that showed the Church Founder lied about his background and achievements. As Armstrong explains in the lawsuit, when he left Scientology he found he needed to take that so-called proof as protection.

[SHOT OF ARMSTRONG, looking at booklet that says "Two Faces"]

GREG AGNEW: That got him sued by the Church, labelled an "enemy of Scientology", and allegedly made him a target of the fair game doctrine.

[CLOSE-UP SHOT OF ARMSTRONG]

GERALD ARMSTRONG: The actual fair game doctrine states that someone labelled an "enemy", may be tricked, cheated, lied to, stolen from, sued, or destroyed, by any means, by any Scientologist.

[SHOT OF HEBER JENTZSCH]

GREG AGNEW: Jentzsch says today there is no fair game doctrine.

HEBER JENTZSCH: There was a policy years ago which was misunderstood. A person who leaves the justice system of Scientology can be fair game for this society.

[SHOT OF LEGAL PAPERS]

GREG AGNEW: In 1984 a California judge came down on Armstrong's side in his suit versus Scientology. Nine years later the two sides are still at legal odds. The Church is suing Armstrong, accusing him of breaching the original settlement agreement by speaking out against Scientology.

[SHOT OF HEBER JENTZSCH]

HEBER JENTZSCH: This is a person who wants to make a big name for himself off of Scientology.

[SHOT OF ARMSTRONG]

GREG AGNEW: Armstrong denies the charge. He and his attorney contend the contract is illegal and the lawsuit, improper.

[SHOT OF MANUSCRIPT entitled: **ONE HELL OF A STORY An Original Treatment Written for Motion Picture Purposes Created and Written by Gerald Armstrong**]

GREG AGNEW: He eventually hopes to tell his story on the big screen.

EXHIBIT BB

August 23, 1993

Jennifer Cohen
The Recorder
625 Polk Street, Suite 500
San Francisco, CA 94102



Re: Scientology v. Gerald Armstrong,
Michael Walton & The Gerald
Armstrong Corporation,
Marin Superior Court
Case No. 157680

Dear Ms. Cohen:

As you requested, please find herewith the following documents relating to my litigation with the Scientology organization:

1. Decision of Los Angeles Superior Court Judge Paul G. Breckenridge Jr. dated June 20, 1984 in the case of Scientology v. Armstrong, No. C 420153 (we call this case Armstrong I);
2. July 29, 1991 opinion of the California Court of Appeal affirming the Breckenridge decision;
3. Amended complaint in Scientology v. Armstrong, Los Angeles Superior Court No. BC 052395 (Armstrong II; which was originally filed February 4, 1992 in Marin Superior Court, case no. 152229 and transferred March 20, 1992 to LA);
4. My declaration of March 16, 1992 filed in Armstrong II;
5. Amended answer to Armstrong II complaint, filed October 8, 1992;
6. Armstrong II cross-complaint, filed October 8, 1992;
7. Scientology's ex parte application filed December 31, 1992 for an order to show cause in Armstrong II, why I should not be held in contempt;
8. Appellant's opening brief in the appeal from the injunction issued May, 28, 1992 in Armstrong II, by LASC Judge Ronald M. Sohigian;
9. Armstrong III first amended complaint, LASC No. BC 084642, filed August 10, 1993 (complaint filed July 8, 1993);
10. Armstrong IV complaint, filed July 23, 1993;

Jennifer Cohen
August 23, 1993
Page 2 /

11. My letter of August 15, 1993 to organization attorney Andrew H. Wilson.

Please also see The American Lawyer of July/August, 1992.

The Sohigian injunction is an exhibit to Scientology's application for an OSC re contempt (item 7 above), one of Scientology's attempts to have me jailed for daring to speak out against its antisocial practices. There is a hearing on that OSC on September 8 in LA, and a hearing on another OSC re contempt September 14, both in Armstrong II.

Because the illegality of the December, 1986 settlement agreement, which is an exhibit to the Armstrong II amended complaint (item 3 above), is an issue in the appeal from the Sohigian injunction, LASC Judge David Horowitz stayed all proceedings in that case. Scientology's filing of Armstrong III and IV is its effort to get around the stay.

I think there's a worthy and timely story in all this, and I hope you or someone has the time and heart to negotiate the paper maze to get to it. As you can imagine, the accompanying document stack is but a bump from the mountain filed in the four cases.

Please feel free to call me or attorney Ford Greene any time, and don't be afraid to ask for more materials.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Armstrong', with a long horizontal line extending from the end of the signature.

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

Hub Law Offices
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)258-0360
Fax 456-5318

August 28, 1993

Charles Fleming
Newsweek
11835 West Olympic Blvd., Suite 870
Los Angeles, CA 90064

Dear Mr. Fleming:

I thought you might be interested in one of the Scientology organization's new lawsuits against me, LA Superior Court No. BC 084642, filed July 8, 1993, amended complaint (enclosed herewith) filed August 10, 1993. We call this one Armstrong III.

The fifth cause of action at page 10 is devoted to my giving an interview to Newsweek, for which the organization seeks \$50,000 in damages. The seventh cause of action at page 13 again concerns the Newsweek "interview" and seeks an injunction prohibiting me from continuing my incorrigible First Amendment activities.


The lawsuit itself is the organization's attempt to get around a stay in Armstrong II, LA Superior Court No. BC 052395. In that lawsuit Judge David Horowitz stayed all proceedings because the illegality of the underlying settlement agreement is an issue on appeal (No. B 060450, Second Appellate District, Division Four).

The organization also filed Armstrong IV July 23 in Marin County Superior Court, No. 157680, against me, The Gerald Armstrong Corporation, and Michael Walton, my friend and a lawyer, claiming my giving away of my assets (house, cash, stock, forgiving debts owed me, etc.) in August, 1990 was a "fraudulent conveyance" intended to render myself judgment-proof against all the damages Scientology says it's due from my free speech responses to its silly slanders.

We presently have a hearing set for September 8 in LA Superior Court in Armstrong II on Scientology's order to show cause re contempt, one of its efforts to have me jailed for the liberties I take with that old First Amendment. And there's another hearing September 14, also in Armstrong II in LA, on another OSC re contempt stemming from my provision of a declaration in June to Lawrence Wollersheim in his defense of Scientology v. Wollersheim, Los Angeles Superior Court No. BC 074815 (which is its own great literature).

If you think Newsweek would have an interest in this saga, please feel free to call me or attorney Ford Greene any time.

Yours sincerely,



Charles Fleming
August 28, 1993
Page 2 /

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

Hub Law Office
Ford Greene, Esquire
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)258-0360
Fax 456-5318

August 31, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

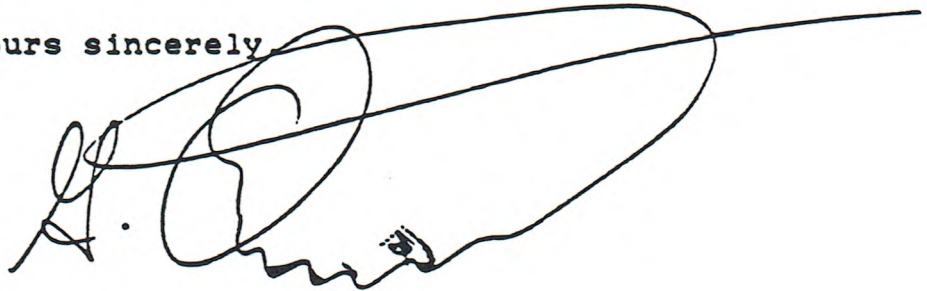
Dear Mark:

Please find herewith:

1. First amended complaint in CSI v. Armstrong & TGAC, LASC No. BC 084642 (Armstrong III);
2. Complaint in CSI v. Armstrong, Walton & TGAC, Marin SC No. 157680 (Armstrong IV);
3. Scientology's ex parte application for an OSC re contempt in Armstrong II (I have only attached the exhibits you might not already have);
4. Bartilson's declaration in support of the application;
5. Our opposition to the application;
6. Ford's letter of July 30 to Bartilson regarding the position the organization took regarding the scope of the Sohigian injunction in their respondent's brief;
7. My August 15 letter to Andy Wilson re Armstrong IV;
8. Graham Berry's letter of August 24 to Bowles & Moxon lawyer Robert Wiener in CSI v. Fishman & Geertz.

All for your information and reading pleasure. No action needed.

Yours sincerely,



Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360



September 28, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Dear Mark:

Please find herewith our Memorandum of Points and
Authorities in Support of Special Motion to Strike filed in CSI
v. Armstrong, LASC No. BC 084642 (Armstrong III).

Thank you for your contribution to our chorus.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Gerry Armstrong", written over a horizontal line.

Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360



EXHIBIT FF

THE GERALD ARMSTRONG CORPORATION
715 Sir Francis Drake Boulevard
San Anselmo, California 94960

Gerald Armstrong
President

FAX COMMUNICATION COVER SHEET

DATE: *October 11, 1993*
TO: *Letters Editor, Premiere*
TELEPHONE:
FAX TELEPHONE: *(310) 820-3192*
FROM: Gerald Armstrong
TELEPHONE: (415) 258-0360
FAX TELEPHONE: (415) 456-5318
PAGES INCLUDING COVER SHEET: *5*
ACCOMPANYING DOCUMENT: *Letter response to*
Miscavige response to
Richardson Scientology article
INSTRUCTIONS: *Have courage!*



October 11, 1993

Letters Editor
PREMIERE
1990 South Bundy Drive, Suite 250
Los Angeles, CA 90025

By Fax: 310-820-3192

Dear Editor:

Word on the street is that the Scientology organization cut a deal with Premiere following John Richardson's September article: print our fearless leader's response and we won't sue you or anyone who contributed to the article. Rod Lurie of Los Angeles magazine, which did its own story this month on Scientologist Tom Cruise, tells me a Scientology lawyer tells him that the deal covers only Premiere; the contributors are hung out as fair game.

Those of us on the street who reject Scientology's bullying would rather have heard that the organization had been told to stick it in its corporate ear, but we do understand why Premiere would agree to such a deal. It judiciously eliminates the threat of litigation from this nation's most threateningly litigious entity, and it gets to print David Miscavige's response. He not only proves Richardson's point about the organization's pervasive mean-spiritedness, but evinces Scientology's silliness. Miscavige uses many too many words, and even too many numbers, for a simple two-page response.

But I shouldn't criticize Mr. Miscavige's style when his response was actually quite helpful to my cause. He admits to knowing that Richardson "had unparalleled access to top [Scientology] officials, conducting four days of interviews." Richardson tells me that the top officials the organization allowed him to interview are Mark Rathbun, Mike Rinder and Heber Jentzsch, and he tells me that these three, unsolicited, provided him with documents concerning me, which he has now provided to me.

Although I was introduced to John Richardson before his article appeared, he did not interview me, and I contributed not one of its, according to Mr. Miscavige, 8700 words. Nevertheless, just in case Richardson did consider interviewing me, Rathbun, Rinder and Jentzsch, in true Hubbardian spirit, gave him a couple of juicy, what the organization calls "dead agent documents," to destroy my reputation beforehand.

Richardson states in his article that "they even provided documentation of Scientology detectives secretly videotaping a sting operation against a hostile former church member. 'I have no problem with that,' says [Mark] Rathbun, president of the church's Religious Technology Center." Judge Donald Londer in

Premiere

October 11, 1993

Page 2 _____/

the Multnomah Superior Court in Portland, Oregon, where the organization first "broke" the videotape operation in 1985, had no problem with it either, but for a different reason. Londer, who viewed the videotapes in their entirety, not just Scientology's edited bits, stated that they were illegally obtained, but allowed them into evidence because he found them "very, very damaging against Scientology." The jury in that case, polled after the trial, stated that the videotapes confirmed that, contrary to Scientology's claim that by renaming its infamous Guardian's Office in 1982 it had ended its dirty tricks against perceived enemies, its tricks were alive and kicking and just as dirty in 1985.

LAPD Chief Daryl Gates, on the other hand, had a huge problem with the videotape operation. Scientology's pet private investigator, Eugene M. Ingram, who, according to published reports, had been busted from the force for pimping and taking payoffs from drug dealers, paid an active LAPD officer Philip Rodriguez to sign a phony authorization for the videotaping and wire taps. Rodriguez was suspended six months for his part in the operation, and Gates declared in a public statement:

"The (Rodriguez) letter purports to authorize Ingram to engage in electronic eavesdropping. The letter, along with all purported authorization, is invalid and is NOT a correspondence from the Los Angeles Police Department. The Los Angeles Police Department has not cooperated with Eugene Ingram. It will be a cold day in hell when we do."

In characteristic purported ignorance, Scientology's top officials continue to this day to call this illegal operation "police-sanctioned," and continue to use it to attack me, even though its use still only demonstrates that "fair game," the organization's doctrine of opportunistic hatred, with its gargantuan bag of tricks and dirt, is still flailing about in 1993.

The other document Miscavige's minions provided Richardson was a two-page recitation of a dream I had in 1985. I gave a copy of it to a friend and fellow writer, Dan Sherman, whom the organization was using to get close to me to set me up, and who participated in the videotape operation. The organization used the dream in 1986 as an exhibit to a document filed under seal in the original case in which it sued me, labelling the dream "a sickening personal creative work" which demonstrated my "extremely aberrated activities."

The dream was a dream, the recitation was true, and the language is starkly crude because that is what its literature called for. But Rathbun, Rinder and Jentzsch did not provide the

Premiere
October 11, 1993
Page 3 /

dream to Richardson for its literary value, but its value in destroying my character; for to the organization, if it suits its purposes, dreams are reality, and truth is whatever can be twisted therefrom. As to the organization's use of the dream in violation of a court order specifically sealing it, that is not even close to surprising. Scientology's leaders, pursuant to Hubbard's orders, abuse the legal process every day of every year and hold our courts in constant contempt.

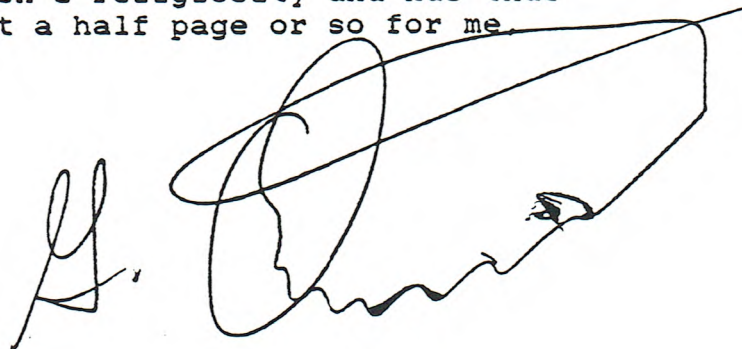
This organization has sued me four times, six times attempted to have me jailed on evidence it fabricated, and employed a pack of private investigators who harassed and assaulted me, threatened to put a bullet between my eyes, took a number of shots at framing me, filed perjured affidavits about me, ran into me with a car, and tried to involve me in a freeway "accident." All for daring to speak honestly and openly about my own experiences in my own life. The organization this year has tried to have me jailed and has sued me, claiming \$950,000 in damages, for nothing more than writing a letter to David Miscavige urging a peaceful resolution to Scientology's conflicts.

Miscavige says that it "is only the great ideas that generate controversy; it is only great thinkers who are the subject of sustained attacks." I have been attacked by his organization for almost twelve years. I don't think that's great, and I don't think my ideas merit all the attack. My message is simply this: honestly and openly repudiate fair game, or get out of the religion business.

I am a man who says that Scientology, as it is practiced and directed by its leaders, is not a religion, and it should not use the extraordinary protection our Constitution confers on religions to mask its antisocial nature and acts. I am one of those critics John Richardson says the organization has targeted with its ugly smear attempts. Premiere has given David Miscavige two pages to promote his organization's religiosity and has thus escaped its litigiousity. How about a half page or so for me, and I won't sue either.

Gerald Armstrong
San Anselmo, CA

715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

A large, stylized handwritten signature in black ink, likely belonging to Gerald Armstrong, is written over the bottom right portion of the page. The signature is fluid and cursive, with a prominent loop at the end.

Premiere
October 11, 1993
Page 4 /

Days C/O Hub Law Office
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)258-0360
fax 456-5318

Editor - I am a writer, philosopher and artist. I presently work with San Anselmo attorney Ford Greene, who also represents me in my litigation with the Scientology organization. I can provide documentation of any of my claims in this letter if you ask.

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY)	
INTERNATIONAL, a California)	
Not-for-Profit Religious)	
Corporation,)	
)	
Plaintiff,)	
vs.	)	Case No. BC-052395
)	
GERALD ARMSTRONG; THE GERALD)	
ARMSTRONG CORPORATION, a)	
California Corporation; Does 1-25)	
inclusive,)	
)	
Defendants.)	
)	

CERTIFIED
COPY

DEPOSITION OF GERALD ARMSTRONG

Volume VIII

Pages 946 - 1063

THURSDAY, OCTOBER 20, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 them -- communicated with principally by Lawrence
2 Wollersheim about the subject of FACTNET.

3 And I was present during that period of time
4 when Lawrence Wollersheim and Bob Penny demonstrated what
5 existed of the computer service operation and database at
6 the convention.

7 MR. HERTZBERG: Q. Did you personally
8 participate in any of the conversations with
9 representatives of the Cult Awareness Network at the 1993
10 CAN convention?

11 A. I was present during these communications.
12 One particular meeting comes to mind. And although I --
13 it was known that I was present and I probably was
14 introduced or we all knew each other or said hi, I myself
15 didn't, was not involved really in the presentation and
16 the discussions. But it was known that I was a director
17 of FACTNET at that time.

18 Q. I'm going to ask you a broader question now.

19 At the 1993 CAN convention, did you have any
20 conversations with anyone, I'm now not restricting it to
21 representatives of the Cult Awareness Network, on the
22 subject of FACTNET?

23 A. Yes.

24 Q. With whom did you have any such conversation?

25 A. Lawrence Wollersheim, Bob Penny. Those are

1 the only things that come to mind, only people that come
2 to mind.

3 Q. Do you remember the substance of your
4 conversation with Mr. Wollersheim on that subject?

5 A. It principally involved how the system worked
6 or would work. It involved a demonstration. It involved
7 my sitting in and, I guess, guarding the computer and
8 other materials during times when Mr. Wollersheim and Mr.
9 Penny were not available or went to lunch or dinner, that
10 sort of thing.

11 It involved -- as I say, I was present during
12 the discussion which took place between Lawrence as a
13 representative of FACTNET, Bob Penny as a representative
14 of FACTNET, and others, some of whom I knew to be CAN
15 directors or executives of some kind. Those people I have
16 a recollection of, Cynthia Kisser, who I know, and I have
17 a recollection of David Bardean, who I know, being
18 present. I don't know if he is a director or an executive
19 in the Cult Awareness Network, but I know that Cynthia is.

20 And I have a recollection of I believe
21 Micheal Langoni, I think that's it, being present. And
22 then there are other people who I cannot identify.

23 Q. Do you have recollection of speaking with Mr.
24 Bardean about FACTNET at the 1993 CAN convention?

25 A. Not myself talking to him. I was present

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE CITY AND COUNTY OF LOS ANGELES

3 ---oOo---

4 CHURCH OF SCIENTOLOGY
5 INTERNATIONAL, a California
6 not-for-profit religious
corporation,

CERTIFIED COPY

7 Plaintiff,

8 vs.

No. BC-052395

9 GERALD ARMSTRONG, THE GERALD
10 ARMSTRONG CORPORATION, a
California corporation, DOES 1
11 through 25, inclusive,

Defendants.

12 and related cross actions. /
13

14
15 DEPOSITION OF GERALD ARMSTRONG

16 Volume VI-A - Pages 753 - 792

17 Thursday, August 18, 1994
18
19
20
21
22
23
24

25 REPORTED BY: DAVID A. DISBROW, CSR NO. 7768

1 get to it.

2 I don't want to go over ground we
3 covered already so I'm going to give a foundation
4 for my next question. And correct me if I'm
5 wrong, but you had a conversation or conversations
6 with Mr. Young. It preceded a meeting that you
7 had with him in San Anselmo; is that correct?

8 A. Yes.

9 Q. Now, not -- okay, am I correct?

10 A. Right. Between the time we
11 originally -- between the time of the meeting in
12 the Superior Court in Los Angeles, and the time
13 when we met in San Anselmo there were a number of
14 telephone communications.

15 Q. All right. Have you related to me
16 the substance of, that you can recall, of all
17 those conversations or have you left something
18 out?

19 A. Nothing that comes to mind.

20 Q. All right. Then you met Mr. Young in
21 San Anselmo?

22 A. Right.

23 Q. What were the circumstances of that
24 meeting?

25 A. He and his wife were traveling.

1 Q. Did they come to San Anselmo for the
2 purpose of seeing you?

3 MR. GREENE: Objection; calls for
4 speculation.

5 MR. HERTZBERG: If you know.

6 THE WITNESS: In part. I think they
7 were as much there to see Mr. Greene as they were
8 to see me, but Mr. Greene was gone and I was
9 there.

10 MR. HERTZBERG: Q. And when was that
11 meeting?

12 A. I believe in the winter.

13 Q. Of 1994?

14 A. '93 -- '94, yeah.

15 MR. GREENE: Winter starts on
16 December 21st.

17 MR. HERTZBERG: Thank you.

18 Q. And Mr. Young's wife is Stacey Young?

19 A. Yes.

20 Q. How long did that meeting last?

21 A. Through the evening. We went to
22 dinner, together, the three of us.

23 Q. What was the substance of your
24 conversation during that period that you met with
25 them, at that time?

1 A. Part of it had to do with what they
2 would both be doing in the future or had hopes of
3 doing. Part of it related to my litigation with
4 the or as it was, at that time, and what my
5 expectations were about what could or might
6 happen. And then I think just the regular
7 conversation of people haven't seen each other for
8 a long period of time and shared a common
9 experience.

10 Q. And that common experience was the
11 Young's, included the Young's involvement for a
12 period of time as Scientologists and yourself, as
13 well, correct?

14 A. That was the thing which originally
15 drew us together, right.

16 Q. And in that meeting, and at that
17 dinner that you had in San Anselmo, you spoke with
18 Von and Stacey Young about some of your
19 experiences as a Scientologist, did you not?

20 A. Although I have no recollection of
21 discussing any of my experiences, I have also no
22 recollection of, of withholding any of my
23 experiences, so it's my best guesstimate,
24 whatever, that it got touched on.

25 Q. And "it" being the subject of your

1 experiences in the Church of Scientology?

2 A. And my experiences in litigation
3 against it or my thoughts, opinions, and ideas
4 subsequent to being involved.

5 Q. And did you discuss with Von and
6 Stacey Young your settlement with the Church of
7 Scientology?

8 A. Again, I have no recollection of
9 specifically discussing the settlement, but again,
10 I discussed my litigation, and the litigation
11 concerning the settlement. And I have been, you
12 know, favorably open and consistent if anyone has
13 an interest in that subject.

14 Q. And by "open and consistent," that is
15 if there are people that show an interest in that
16 subject, you feel no compunction discussing it,
17 correct?

18 A. Right.

19 Q. And now, when I say, "it," I mean
20 matters including your experiences as a
21 Scientologist, and your settlement with the
22 Church. Did you understand that to be, comprehend
23 my prior question?

24 A. Well, then it was -- I agree with
25 that now.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

--oOo--

CHURCH OF SCIENTOLOGY)	
INTERNATIONAL, a California)	
Not-For-Profit Religious)	
Corporation,)	
)	
Plaintiff,)	
)	
vs.	)	Case No. BC-052395
)	
GERALD ARMSTRONG, THE GERALD)	
ARMSTRONG CORPORATION, a)	
California Corporation, Does 1-25,)	
inclusive,)	
)	
Defendants.)	

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

1 present, did you discuss any topic with Mr. Horne other
2 than your own litigation?

3 A. Although I do not have a specific
4 recollection of doing so, I may have discussed other
5 events in the Scientology litigation world beyond my own
6 Armstrong cases. For example, the Wollersheim II events
7 or the -- the IRS ruling, those sorts of events I would
8 have if it had been relevant or, you know, timely,
9 germane.

10 Q. I don't want you to speculate. Do you have
11 a specific recollection?

12 A. No.

13 MR. HERTZBERG: Okay, let's take a
14 five-minute break.

15 MR. GREENE: All right. Back at 12:00,
16 twelve o'clock?

17 (Discussion off the record; recess taken)

18 --o0o--

19 MR. HERTZBERG: Are you ready, Ford? Are
20 you ready?

21 MR. GREENE: Sure.

22 MR. HERTZBERG: Okay.

23 Q. Since your deposition in March, 1993 in
24 this matter and to the present, have you furnished any
25 person engaged in litigation with any Scientology entity

1 identified in paragraph one of the settlement agreement
2 with a declaration, affidavit or other document other than
3 those persons who you have identified already in your
4 testimony yesterday and today?

5 MR. GREENE: So that would have -- would
6 have been the declaration in CEC vs. Wollershiem and the
7 two declarations in CSI vs. Fishman, so there's three
8 declarations that you have in mind, and you're asking if
9 there are any additional within that time frame?

10 MR. HERTZBERG: But I'm also asking for any
11 other documents.

12 MR. GREENE: All right. Well, let's do it,
13 then, on a declaration basis and then do it on a document
14 basis.

15 MR. HERTZBERG: That's fine with me.

16 MR. GREENE: Okay.

17 THE WITNESS: Okay, then, the answer is
18 yes.

19 MR. HERTZBERG:

20 Q. And to whom?

21 A. To a Mr. Lawlay, L-a-w-l-a-y.

22 Q. Anyone else?

23 A. Although there may be, that's what has come
24 to mind so far, but if you'd like me to see in the next
25 minute or so if I can scan for other ones, I'll do that.

1 Q. I would like you to take a moment to see.

2 A. Okay. That's all that has come to mind at
3 this point.

4 Q. What's Mr. Lawley's first name?

5 A. You know, I want to say Ron, like Ron
6 Lawlay.

7 MR. HERTZBERG: Let's go off the record for
8 a moment.

9 (Discussion off the record)

10 MR. HERTZBERG:

11 Q. Ron Lawlay, and who is Ron Lawlay?

12 A. He is an individual who was sued by the
13 Scientology organization in England.

14 Q. And did you furnish him with an affidavit
15 or declaration or both?

16 A. My recollection is that it was an
17 affidavit.

18 Q. When did you execute the affidavit?

19 A. My recollection there is that it was early
20 this year.

21 Q. After January of 1994?

22 A. In or about January. Could be February.

23 Q. And did you speak directly to Mr. Lawlay?

24 A. Yes.

25 Q. When did you first speak to Mr. Lawlay?

1 A. Not long before this, so it could have been
2 in the late part of 1993 or the early part of 1994.

3 Q. In your initial conversation with
4 Mr. Lawlay, was that initiated by you or by Mr. Lawlay?

5 A. My recollection is that I received a
6 telephone call from Mr. Lawlay and had not myself prior to
7 that time communicated to him.

8 Q. Tell us as you can best recall the
9 substance of what you said to Mr. Lawlay and he said to
10 you in that telephone call.

11 A. My recollection is that he described to me
12 what his case, in which he had been sued, involved. And
13 the communication initially had to do with my testifying
14 in his case, which was coming to trial at that time in the
15 near future.

16 At some point, and I believe in the first
17 communication or perhaps in something which I was sent
18 subsequently, I learned at least something of the issues
19 in the case and how those things related to me.

20 And it was then discussed that prior to my
21 testifying at the trial that I would provide an affidavit
22 which would cover the areas of my expected testimony, and
23 that a -- a draft as to format was, I believe, faxed to
24 me, and that I then, using the format or the outline which
25 was given, prepared an affidavit, and that there were

1 therefore a series of telephone communications which built
2 up to and related to that, but the initial one which you
3 asked about concerned, I believe, a request on his part
4 that I testify.

5 Q. And you readily agreed that you would
6 testify?

7 A. I cannot say that I readily agreed because
8 I don't really recall what the time frame was or what --
9 what was involved initially, but there came a time when I
10 did agree, and we proceeded on from there.

11 Q. And in agreeing to testify on Mr. Lawlay's
12 behalf you understood that your testimony was sought in
13 order to assist him in the litigation he was engaged in,
14 correct?

15 A. Yes.

16 Q. And in furnishing the affidavit to
17 Mr. Lawlay you understood that that was going to be used
18 by Mr. Lawlay and his counsel to assist in his conduct of
19 the litigation that he was involved in, correct?

20 A. Yes.

21 Q. Was that affidavit ever filed in court, to
22 your knowledge?

23 A. I don't know.

24 Q. You have a copy of the affidavit?

25 A. I believe so.

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE CITY AND COUNTY OF LOS ANGELES

3 ---oOo---

4 CHURCH OF SCIENTOLOGY
5 INTERNATIONAL, a California
6 not-for-profit religious
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25 REPORTED BY: DAVID A. DISBROW, CSR NO. 7768

1 Q. That's the first time you became
2 aware?

3 A. I think that's the first time I saw
4 it.

5 Q. Okay. Somebody had previously
6 discussed your being designated as a witness in
7 the Fishman case?

8 A. Well, there are a couple of instances
9 of that.

10 Q. Right.

11 A. There was a communication, and I
12 think that Graham Berry spoke directly to me on
13 that matter, and it also may have involved Mr.
14 Greene. And then -- so some months, if not like a
15 long period of time before then, but there was a
16 communication with Mr. Berry about something like
17 that.

18 Q. And Mr. Berry desired you to be a
19 witness in the Fishman case, did he not?

20 A. I believe so.

21 Q. And in fact, he discussed that with
22 your directly, did he not?

23 A. Like I say, I have a recollection of
24 something about that like, you know, some period
25 of time before then. And it may have been -- I

1 think it was the time when Mr. Berry called for
2 Mr. Greene and me, but in any case this got
3 mentioned in the communications which were going
4 around, at that time.

5 Q. And you agreed to be a witness, did
6 you not?

7 A. I never disagreed.

8 Q. And do you recall what areas of
9 perspective testimony it was desired that you
10 provide?

11 A. I don't believe that -- you know, I
12 have my own areas of what I consider to be
13 expertise, and I don't think beyond, very
14 generally, if at all, that is, if it was discussed
15 at all, whether the specifics of what I would
16 testify to or what I would testify to go into, but
17 I think that Mr. Berry's understanding of my
18 history, and my present involvement in litigation,
19 and what I've said about myself, and my areas of
20 expertise are pretty well known and accepted.

21 Q. And those areas of expertise that are
22 "pretty well known and accepted," include your
23 experiences in the Church of Scientology, do they
24 not, including, but not limited to your position
25 as an archivist?

1 A. That is foundational to what I
2 consider the areas.

3 Q. All right, but that's part of it; is
4 it not?

5 A. Yeah, that's the foundation of it.

6 Q. I have one more question. One or two
7 more questions for today because I do what this
8 document search to be conducted.

9 Mr. Armstrong, after that meeting at
10 Lewis, D'Amato, and the lunch, did you have any
11 subsequent conversations with Mr. Von Young
12 between that time and today?

13 A. Yes.

14 Q. Where were they?

15 A. When you say, "substantive --"

16 Q. Go ahead.

17 MR. GREENE: Subsequent.

18 MR. HERTZBERG: Q. Subsequent.

19 A. Subsequent? Okay. Then there are
20 subsequent conversations, and we have communicated
21 sporadically, but a few times over the last few
22 months, and those were principally a couple of
23 times, perhaps a month or a month and a half ago,
24 and these were -- these involved meetings that
25 they were having with Mike Rinnard,

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
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--oOo--

CHURCH OF SCIENTOLOGY
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GERALD ARMSTRONG, THE GERALD
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VOLUME VII

Pages 793 through 945

Reported By:

Rosalie E. Stefani
CSR No. 3215

1 understand --

2 Q. There is no pending question,
3 Mr. Armstrong.

4 A. Okay, if you understand, it's more
5 difficult --

6 Q. I would like to show you what is being
7 marked as exhibit 31 for the plaintiffs.

8 --o0o--

9 (Plaintiff's Exhibit(s) 31 and
10 32 marked for identification)

11 MR. HERTZBERG:

12 Q. Mr. Armstrong, do you recall having any
13 conversation with Mr. Berry, counsel for Mr. Geertz, on
14 the subject of suicide and psychosis in the Church of
15 Scientology?

16 A. I do not have a specific recollection of --
17 of that conversation if it indeed occurred.

18 Q. And do you have a recollection of talking
19 to Mr. Berry on the telephone in January of 1994 regarding
20 potential trial testimony in the Fishman case?

21 A. It -- as I said the other day, yesterday,
22 I -- I do believe that -- that there was a communication
23 from Mr. Berry which concerned my being a witness at some
24 future date in the Fishman case and --

25 Q. And that --

1 A. -- and I have no recollection of the
2 substance of any future testimony. And I say that because
3 I -- I have an impression that Mr. Berry was very
4 knowledgeable of my history and the things that I had
5 testified to before.

6 So I've never in my communications with him ever
7 been interviewed or those sorts of things have never been
8 gone over in detail. So there may have been a passing
9 comment referring to a body of my existing testimony or
10 what was known about me.

11 Q. Mr. Armstrong, I'm going to show you what
12 has been marked as plaintiff's exhibit number 31, and I
13 direct your attention to two entries on exhibit 31. One
14 is three lines from the bottom or, actually, four lines
15 from the bottom, 1-26, phone time, TC, which I think means
16 telephone call, Jerry Armstrong re trial testimony, next
17 to the initials G-J-C. Do you see that? Do you see that
18 entry?

19 A. Yes.

20 Q. All right, do you know what the initials
21 G-J-C stand for?

22 A. At a guess, Gordon Calhoun.

23 Q. Right. Gordon Calhoun is an attorney at
24 the d'Amato firm?

25 A. Yes.

1 Q. And then 11 lines above that, do you see
2 another entry also on 1-26 next to the initials G-E-B?

3 A. Okay.

4 Q. Phone time, Gerald Armstrong, expert
5 witness?

6 A. Yes.

7 Q. And G-E-B, Graham Berry's initials?

8 A. Yes.

9 Q. Do those entries refresh your recollection
10 as to conversations you had with Mr. Calhoun and with
11 Mr. Berry on January 26th, 1994 on the subject of your
12 testifying as an expert witness in the Fishman case?

13 A. Well, I have no recollection of speaking to
14 Mr. Calhoun. I have a recollection of speaking to
15 Mr. Berry, and -- and that -- I have no reason to doubt
16 the date of this, but I have no recollection of a
17 telephone call or ever speaking on the phone with
18 Mr. Calhoun.

19 Q. I show you what has been marked as --
20 strike that.

21 Does this refresh your recollection at all as to
22 the substance of your conversation on January 26th, 1994
23 with Mr. Berry?

24 A. To the extent that my recollection is that
25 the magnitude or the -- a thing which we did discuss was

1 my feeling about -- about my testimony not being a
2 violation of the Sohigian injunction, that is, that as I
3 have maintained all along that this is a defense
4 circumstance and that I am at liberty to do this, so
5 Mr. Berry asked me about that, and that's --

6 Q. To do --

7 A. But, again, I don't know if there were --
8 if there were any -- any discussions as to substance or,
9 you know, any facts that I would testify to whatsoever.

10 Q. To do this, you mean to testify on behalf
11 of Mr. Berry's client in the Fishman case?

12 A. Right, the -- in circumstances such as
13 this, and this I viewed as one of those, that it was not
14 one of those called for by the Sohigian injunction whereby
15 I must first accept a subpoena prior to testifying.

16 Q. Why don't I show you exhibit 32, and draw
17 your attention to the fourth entry. Do you know which --
18 January 4th, 1994, G-E-B, which I think we can agree is
19 Graham Berry, is that correct?

20 A. Uh-huh.

21 Q. Is that "yes"?

22 A. Yes.

23 Q. And then --

24 MR. GREENE: Well, excuse me. Excuse me.
25 Objection, the document speaks for itself.

LEWIS, D'AMATO, BRISBOIS & BISGAARD

A FURTHERMENT INCLUDING A PROFESSIONAL CORPORATION

LAWYERS
221 NORTH FIGUEROA STREET
SUITE 1200
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FEDERAL LD. NO. 06-3720622

FILE 5018-304 A.I. MANAGEMENT & PROFESSIONAL LIABILITY
NUMBER SCIENTOLOGY V FISHMAN

2/28/94

110584

PAGE 3:

HOURS

DATE	ATTY	DESCRIPTION OF SERVICES RENDERED	HOURS
1/26	DRI	CONFERENCE TIME: MEETING WITH PLAINTIFF'S COUNSEL, MR. BOWLES AND MR. MOXON TO REVIEW AND REVISE THE PRETRIAL CONFERENCE ORDER;	1.6
1/26	DRI	PHONE TIME: TELEPHONE CALLS (THREE) TO PLAINTIFF'S COUNSEL RE REVISION OF PRETRIAL CONFERENCE ORDER AND RETURN OF DRAFT;	.7
1/26	DRI	PRE-COURT PREP: REVIEW MR. FISHMAN'S DEPOSITION TESTIMONY RE USE OF TYPEWRITERS AND TYPE FACES FOR REVIEW BY EXPERT WITNESS MR. RILES, QUESTIONED DOCUMENT EXAMINER;	1.1
1/26	SA3	PHONE TIME: TELEPHONE CONFERENCE WITH T. HARVEY RE: TAPE PLAYER	.1
1/26	GEB	PHONE TIME: LAWRENCE WOLLERSHEIM RE SETTLEMENT STRATEGY AND DISCOVERY MATTERS	.3
1/26	GEB	DEPOSITION PREP: PREPARE FOR DEPOSITION OF KURT WEILAND	2.9
1/26	GEB	PHONE TIME: DR. GEERTZ RE CASE DEVELOPMENT	.4
1/26	GEB	DEPOSITIONS: DEPOSE COMMANDING OFFICER, OFFICE OF SPECIAL AFFAIRS, KURT WEILAND	3.4
1/26	GEB	PRE-COURT PREP: ORGANIZED DOCUMENTS RE CONTINUANCE OF DEPOSITION OF KURT WEILAND	.9
1/26	GEB	PHONE TIME: LAWRENCE WOLLERSHEIM, EXPERT WITNESS	.4
1/26	GEB	PHONE TIME: VAUGHN YOUNG, EXPERT WITNESS (3 CALLS)	.6
1/26	GEB	PHONE TIME: JERRY WHITFIELD, EXPERT WITNESS	.3
1/26	GEB	PHONE TIME: VICKI AZNARAN, EXPERT WITNESS	.5
1/26	GEB	PHONE TIME: GERRY ARMSTRONG, EXPERT WITNESS	.4
1/26	GEB	PRE-COURT PREP: WORKED ON F.R.CIV.P. RULE 37 SANCTIONS ISSUES	.7
1/26	GEB	CORRESPONDENCE: BOWLES & MOXON RE DISCOVERY ABUSES	.9
1/26	GEB	PHONE TIME: DR. GEERTZ AND STEVE FISHMAN RE F.R.CIV.P. RULE 37 MOTION	.4
1/26	GEB	PRE-COURT PREP: WORKED ON ADDITIONS TO WITNESS LIST	.4
1/26	GJC	CONFERENCE TIME: TC STEVEN FISHMAN RE RULE 37 AND PENDING MATTERS	.2
1/26	GJC	CONFERENCE TIME: MEET WITH KEN MOXON AND TIM BOWLES RE PRETRIAL CONFERENCE CONTENTS	1.0
1/26	GJC	PHONE TIME: TC JERRY ARMSTRONG RE TRIAL TESTIMONY	.3
1/26	GJC	PHONE TIME: TC ROBERT VAUGHN YOUNG AND ANDRE TABOYASYAN RE STATUS OF EXAMINATION UNDER OATH	.3
1/26	GJC	PHONE TIME: TC PHILLIP SCOLLO RE NEW ISSUES RAISED BY	

DISBURSEMENTS MADE FOR YOUR ACCOUNT, FOR WHICH BILLS HAVE NOT YET BEEN RECEIVED, WILL APPEAR ON A LATER STATEMENT

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EXHIBIT 31

19

ROSALIE STEFANI, CSR

CSI

01428

** TOTAL PAGE.002 **

LEWIS, D'AMATO, BRISBOIS & BISGAARD

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

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FEDERAL I.D. NO. 94-3720422

FILE 5713-504 A.I. MANAGEMENT & PROFESSIONAL LIABILITY 2/28/94
NUMBER SCIENTOLOGY V FISHMAN 110584
DATE CITY DESCRIPTION OF SERVICES RENDERED PAGE 4
HOURS

1/28/94			
1/04 GEB	PRE-COURT PREP: WORKED ON DISCOVERY AND TRIAL PREPARATION ISSUES AND SCHEDULING	2.1	
1/04 GEB	PHONE TIME: TELEPHONE CONFERENCE VAUGHN & STACY YOUNG RE OUTCOME OF MOTIONS FOR PROTECTIVE ORDERS AND FURTHER DISCOVERY ISSUES (2 CALLS)	.5	
1/04 GEB	PHONE TIME: LAWRENCE WOLLERSHEIM RE SUICIDE, PSYCHOSIS AND SCIENTOLOGY QUESTIONNAIRE (2 CALLS)	.4	
1/04 GEB	PHONE TIME: GERRY ARMSTRONG RE SUICIDE, PSYCHOSIS AND SCIENTOLOGY QUESTIONNAIRE	.3	
1/04 GEB	PHONE TIME: DAN LEIPOLD RE DISCOVERY ISSUES	.3	
1/04 GEB	PHONE TIME: TOBY PLEVIN RE DEPOSITION OF BENT CORYDON AND PTS-TYPE 3 VICTIMS	.8	
1/04 GEB	PHONE TIME: BILL JORDAN RE FINANCIAL SCAM EVIDENCE	.4	
1/04 GEB	DEPOSITION PREP: WORKED ON PREPARATION FOR DEPOSITIONS OF SENIOR SCIENTOLOGY OFFICIALS	1.1	
1/04 GJC	PRE-COURT PREP: PREPARE FOR HEARINGS	1.3	
1/04 GJC	COURT APPEARANCE: ATTEND HEARINGS ON MOTIONS FOR PROTECTIVE ORDER UNDER RULE 36(D) RE DAVID MISCavige AND RULE 26(C) RE INSPECTORS GENERAL, CELEBRITIES, GLYNN AND CORYDON; RULE 30(D) RE HER JENTZCH BASED ON HARASSMENT AND CRIMINAL CONDUCT AND RULE 26(C) FOR EPSTEIN, LONG, GORDON, BERESCI, ET AL; MOTION TO COMPEL ALL DEPOSITIONS; MOTION TO COMPEL ATTENDANCE OF EXPERT AT DEPOSITION; AND SANCTIONS	2.0	
1/04 GJC	PHONE TIME: TC DAVID PASQUALE RE RESULTS OF DISCOVERY MOTIONS AND ANTICIPATED IMPACT ON SETTLEMENT	.3	
1/04 GJC	PHONE TIME: TC VAUGHN AND STACY YOUNG RE RESULTS OF DISCOVERY MOTIONS AND AVAILABILITY TO ASSIST IN DEPOSITIONS OF EPSTEIN, JENTZCH, MISCavige, INSPECTORS GENERAL AND OTHERS; ANALYSIS OF IRS DOCUMENTS RE PROOF OF FINANCIAL SCAMS; ANTICIPATED MEETINGS WITH FORMER SCIENTOLOGISTS AND ADDITIONAL WITNESSES ON MURDERS AND SUICIDES AND LIFE THREATENING SITUATIONS	.6	
1/04 GJC	DEPOSITIONS: OUTLINE ORDER OF DEPOSITIONS TO BE COMPLETED BETWEEN 1/10/94 AND 1/28/94; ALLOCATION OF TASK RESPONSIBILITIES ON TRIAL TEAM	.5	
1/04 GJC	PHONE TIME: TC LAWRENCE WOLLERSCHIEH RE STATUS OF QUESTIONNAIRE TO EX SCIENTOLOGISTS RE KNOWLEDGE OF		

P EXHIBIT 32
19
ROSALIE STEFANI, CSR

DISBURSEMENTS MADE FOR YOUR ACCOUNT, FOR WHICH BILLS HAVE NOT YET BEEN RECEIVED, WILL APPEAR ON A LATER STATEMENT

(PLEASE RETURN THIS COPY WITH YOUR REMITTANCE)

January 27, 1994



Graham E. Berry, Esquire
Lewis, D'Amato, Brisbois & Bisgaard
221 North Figueroa Street
Suite 1200
Los Angeles, CA 90012

By Fax: (213)250-7900

Dear Graham:

Here is the information you asked for yesterday:

Ed Walters has stated that he knew about GO ops and coverup in the death of Quentin Hubbard. 4902 North 9th Street, Las Vegas, NV 89101. (702)382-7011. Walters is a December, 1986 settlement agreement signer, so unless he goes an Armstrong route or unless you get the organization to release him from the "agreement," he may be unwilling to talk.

Ed Roberts is a man the Steven Creek org ripped off. His credit card was maxxed against his specific instructions, and a loan was "arranged" for him between the Stevens Creek reg and her Scientologist cohort in the loan company, Loan Arranger. Ed lost his house and Scn refuses to refund his money. Add to that this benevolent church has sued me and wants \$50,000 for daring to assist Ed. (408)338-7098 Brookdale Lodge, Room #48, Brookdale, CA 95007. I'll pass on any other flat-out financial fraud as I think of it.

[REDACTED]

Regarding other flat-out financial fraud, [REDACTED] another settlement agreement signer, could be helpful. Would have to be subpoenaed. [REDACTED]

[REDACTED] Finance Police ripoffs of the mission holders in 1982-3 period. Last number I had for him was [REDACTED]. I gave these numbers to [REDACTED] some time back and he may have since tracked [REDACTED]

[REDACTED] may be a helpful source for some of your areas of interest. [REDACTED]

Yours sincerely,

Gerry Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450
Days (415)258-0360 Fax (415)456-5318

A large, stylized handwritten signature in black ink, located to the right of the typed name and address.

FIND A BETTER BASKET

A Literary Work Created and Written
by
GERALD ARMSTRONG

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FIND A BETTER BASKET

1. Gerald Armstrong, declare:

1. I am making this declaration in response to allegations made by Scientology organization leaders, attorneys and agents in court proceedings and public media around the world concerning a 1984 organization intelligence operation targeting me, which has been called the "Armstrong Operation." I am copyrighting this document prior to its use in court because it will, in addition to putting the organization's allegations into a proper context, form an outline for a screenplay I am writing. It is my story.

2. After I left the organization at the end of 1981, the organization intelligence bureau assigned Dan Sherman, a Los Angeles spy story writer and intel operative, to get close to me and become my friend, which he did. I had been the intelligence officer on board the "Apollo" with the organization's founder and supreme leader L. Ron Hubbard, had studied his intelligence policies and Guardian's Office¹ intelligence materials, had an

¹ The Guardian's Office ("GO"), headed from 1966 to 1981 by Mary Sue Hubbard, who reported to and was controlled by L. Ron Hubbard, consisted of five bureaus: Intelligence, Public Relations, Legal, Finance and Social Coordination (front groups). The GO was responsible for hiding its money and its actual command lines, defending the organization against attacks and for eliminating all opposition to its progress. Hubbard patterned its intelligence bureau, B-1, and the organization's total espionage mentality on the work of Reinhard Gehlen, Hitler's spy master. On Hubbard's orders, after the conviction of 11 top GO intelligence personnel, including Mary Sue, for criminal activities against the US Government, Scientology's second major arm of power, the Sea Organization, in a 1981 putsch took control of the GO's functions and subsequently renamed the GO arm the Office of Special Affairs, "OSA."

appreciation for that literary genre, and I was myself a writer, so Sherman and I had a real basis for a real friendship.

3. Sherman told me he was no longer involved in Scientology, wanted nothing to do with it, saw it as a personal waste of time, and also saw that its leaders were ruthless and dangerous, and claimed to be afraid of them finding out that he was friends with me. Sometime in 1982 or 1983 he told me that he was still in communication in a limited way with some of his old friends still in the organization. He described these friends as smart, reasonable and not fanatics. They were still Scientologists and worked on staff, but felt that organization leaders were criminals. Having no allegiance to these leaders, Sherman's friends would occasionally tell him about conditions inside and their desire to end the organization's criminal activities. They said the conditions inside were oppressive and chaotic and they were at risk even talking to him because sec checks² were rampant.

4. During the 1984 trial of the organization's case against me, Church of Scientology of California and Mary Sue Hubbard v. Gerald Armstrong, Los Angeles Superior Court no. C 420153 ("Armstrong I"), Sherman told me that one of these friends, whom he called "Joey," had told him that there was an

² Sec checks are accusatory interrogations using Hubbard's electropsychometer or E-Meter as a lie detector. Sec checks could be brutal, could go on for many hours or days, could involve several people asking questions, threatening and badgering, and could have disastrous results for the interrogee.

actual group inside the organization who were dedicated to reforming it because management had become suppressive. They called themselves the "Loyalists," claiming to be "loyal" to the preservation of the ideals of Scientology, "what worked." They also recognized that its leaders were criminal, crazy, dangerous, and not dedicated to those ideals but were acting to destroy them. The "Loyalists" wanted to take control in a well-planned, effective and peaceful action before some tragedy happened. They claimed to know of criminal activities and a key part of their plan was the documenting of these activities.

5. Sherman said they were 35 in number, or at least there were 35 who knew they were "Loyalists," all smart, reasonable and not fanatics. Some of them were his old friends from B-1. Such persons tended to be smart, reasonable and often were not fanatics. The people whom I knew to be, including Hubbard, the organization leaders, prided themselves on their recognition of unreasonableness as a virtue, and maintained an abiding fanaticism to justify their abuses and keep their positions of power. Sherman was smart and gave every appearance of being reasonable and unfanatical. He said the Loyalists knew he was in communication with me and wanted to talk with me but were afraid for their lives. This was not surprising to me because I knew from my own experiences that the organization had a brutal side and its leaders were dangerous, armed and desperate. Thus the first communications with the Loyalists were a few messages relayed by Sherman. They said that I had a proven record against

the organization, that my integrity had been unshakable and they wanted my help.

6. A few days after the Armstrong I trial ended, Joey, who, I later learned, was actually one David Kluge, made the first direct contact with me, a phone call to my home in Costa Mesa, California. He said the Loyalists knew I wanted my pc folders^{3/}, that my folders were being moved on a certain day and that I could get them if I wanted. I told Kluge that even though the folders were mine the organization would claim, if it was discovered I had them, that I was accepting stolen property, so I had to decline his offer. I was also already booked, on the same day the Loyalists said they would get me my pc folders, to fly to London to testify in a child custody case^{4/} involving

^{3/} Pc folders, also called preclear or auditing files or folders, contain the record of processes run and questions asked by the auditor (psychotherapist), E-Meter reads, and answers given and statements made by the preclear (or patient) during Scientology auditing (or psychotherapy) sessions. It was well known that I had opposed and exposed the organization's misuse of information divulged by the organization's "preclears" (what were essentially psychotherapist-patient confidences) in auditing. I had been attempting to get the organization to deliver to me my pc folders throughout the Armstrong I litigation, and the misuse of auditing information was an issue in the Armstrong I trial. Judge Paul G. Breckenridge, Jr. stated in his decision following the 30-day Armstrong I trial: "[Mary Sue Hubbard] was the head of the Guardian Office for years and among other things, authored the infamous order "GO 121669" which directed culling of supposedly confidential P.C. files/folders for the purposes of internal security." "The practice of culling supposedly confidential "P.C. folders or files" to obtain information for purposes of intimidation and/or harassment is repugnant and outrageous. The Guardian's Office, which plaintiff [Mary Sue Hubbard] headed, was no respecter of anyone's civil rights, particularly that of privacy."

^{4/} This Royal Courts of Justice case, known as Re: B and G

Scientology, and I told Kluge that I couldn't change my plans.

7. When I returned from the UK, where, incidentally, I had been harassed by a pack of English private investigators working for the organization, Kluge reestablished contact, and I communicated with him or Sherman several times over the next few months. I was happy to be in communication with them, because I'm happy to be in communication with anyone, and my relationship with the Loyalists, who were admitted Scientologists, seemed a spark of hope in the seemingly hopeless and threatening Scientology situation.

8. I have believed and stated that when Scientologists have the freedom to communicate to the people their leaders label "enemies," Scientology will cease to have enemies. The organization's leaders prohibit their minions from communicating with me, thus I am their enemy. This prohibition is enforced with severe "ethics" punishment, which could easily include "declaring" the person who dared to communicate with me a "suppressive" person, thus making him the target of the organization's philosophy and practice of opportunistic hatred Hubbard called "fair game."

9. I had lost my law office job because of the Armstrong I trial, which really ran from April into June, 1984, and I did not get another job for some months, so had considerable time on my

^{4/} (Continued) (Wards), resulted in a Judgment on July 23, 1984 issued by Justice Latey in favor of the non-Scientologist parent. The Judgment, which was upheld on appeal, contained a scathing condemnation of organization policies and practices.

hands in the fall of 1984 to meet with Sherman and the Loyalists and do some of the things they wanted. I had begun to draw and write seriously during this period, and some of my writings concerned the Scientology battle and the Loyalists. My situation with the organization and the Loyalists was bizarre and psychologically traumatic, and this is reflected in my writings of the period. Thanks to, I believe, my growing faith in God I was given the gift of a healthy sense of humor and that too is a facet of my communications and writings during the period.

10. In late July, 1984 the organization fed to the media the story, and filed papers in various court cases, including Armstrong I, charging, that Michael Flynn, who had fought the organization's fair game tactics for five years, who had been my friend and attorney for two years and had just successfully defended me in the Armstrong I trial, was behind a plot to cash a forged check for \$2,000,000.00 on one of Hubbard's accounts at the Bank of New England. Sherman and Kluge communicated that the Loyalists knew Flynn was not involved, and that the organization leaders knew Flynn was uninvolved but were framing him with the forgery. The Loyalists said that they were working inside the organization to acquire the proof of the frame-up, and that when they proved Flynn's innocence they would be in a position to effectuate the reforms they sought. This was fine with me, because I fully believed that Flynn was innocent, and that the organization was framing him just to be able to attack him to eliminate the threat he represented to its antisocial practices

and nature.

11. Over the next few months Sherman and Kluge communicated with me regularly about the Loyalists' progress in documenting the truth about the Flynn frame-up. They claimed that all staff were searched before they could leave OSA or management offices, so it was hard to get any documents out. Nevertheless, on a couple of occasions Sherman and Joey gave me a page or two that had been smuggled out. I learned that a US Attorney in Boston had become involved in the investigation of the frame-up, and I passed whatever I got from the Loyalists to him through Flynn.

12. One of the ideas which developed with the Loyalists in the early fall of 1984 was the possible filing of a lawsuit to take control of the organization from the "criminals." I saw this as an idea with merit, and could be the effective action the Loyalists said they were looking for to avert a major organization tragedy. I told Flynn what they wanted and he drafted a "bare bones" complaint which I passed to them. Sherman, Kluge and I discussed the lawsuit concept on several occasions, both of them asking me for my ideas and I helped as I could within the limits of my knowledge, ability and imagination.

13. The Loyalists then began discussing with me finding a financial "backer" for their lawsuit, basing this need on the likelihood that the bringing of the suit would freeze organization accounts, and the Loyalists would need operating capital. They claimed that the leaders had lots of money they had skimmed from the organization and squirreled away in their

own bank accounts, and the Loyalists were all staff members and thus broke. I couldn't help them with money, and knew of no one who might finance whatever they did, so they said that, because I understood the situation so well, and had a proven record, they wanted me to talk to and encourage some prospective backers with whom they were in touch. One day I got a call from Kluge, asking me to fly to Las Vegas to meet with such a person, a "rich Scientologist" who had been mistreated by the organization and was aligned with the Loyalists on their goal of reformation. Although on Kluge's instructions I purchased a plane ticket, I called off the trip before leaving because my lawyers warned me that I could be walking into a trap.

14. There were many times during this period when I considered the possibility that I was walking into a trap. The thought arose in all my meetings with Kluge, and later with Mike Rinder, the second Loyalist I would meet. Their communications often didn't jibe with what they or Sherman had said on earlier occasions, and sometimes they said things which were downright stupid. I had no way of originating a communication to them, had no telephone numbers, no locations, no names, and no idea what any of them did. They had my address, phone number, knew exactly what I did, and could call me any time they wanted. They told me almost nothing, and wanted to know everything I knew. They claimed I had to be kept in the dark because of their fear for their lives, and for that reason I went along with their, even to me, strange behavior.

15. Because of their fear for their lives they depended on secrecy, duplicity and intelligence procedures and goals. Although I had been in intelligence in the organization and had the essential quality for the field; i.e., native intelligence, I had, after leaving the organization, come to the conclusion that Scientology's brand of intelligence; i.e., the secret world of data, duplicity, stealth, hidden intentions and hidden identities, was ineffective, unhealthy, unholy, and not my choice for how I would make my way through life and deal with my problems. Even inside the organization, which is an intelligence-based group, I had urged those who were in positions to do something about it to open up, stop lying, disclose its leaders, divulge its secrets; because I felt that its lies, secrets, and secret orders from its secret leaders would only bring upon it more problems. After leaving the organization, a factor in my life which led to my faith in openness and freedom as opposed to secrecy and leverage, was all the testifying I did, in trial in Armstrong I and in B & G Wards, and in many days of depositions in several more Scientology-related cases. Also I knew that the organization's leaders, who had an undeniable determination to harm me, possessed my pc folders which contained every embarrassing incident or thought in my life, and my lives back umpteen impossibillion years. These facts had resulted in a tendency in me at times during this period to not care what happened to me and to act a little wild and silly.

16. Sometime during 1984 it came to me that what I was

following, and what was a far superior technology and faith than intelligence, or perhaps perfect intelligence, was guidance. I had been given, before and after my asking, a desire to know my Creator, and I believe I received during this period some of His communications to me. Hubbard in his writings put no faith in his Creator, but put it in something of his own making, an intelligence apparatus in which he was the secret leader with secret bank accounts, secret communication lines, secret codes, secret intentions, and secret lawyers to keep them all secret. I had come to know God a little, and understood that no matter how scary things got I was in hands in which I was in no real danger. I could be shot, my body could be destroyed, I could be defamed and ruined, and I would still be in no real danger. And things did get scary for me in my dealings with Sherman and the Loyalists during this period. I picked up surveillance on a number of occasions, and there was the nagging strangeness of the Loyalists' communications and the movie-like quality of this play in which I was being played with. I still retained my intellect and acted with good sense most of the time, but a shift was occurring in my mind and soul. I began to walk deliberately into danger, but I was also new at this approach to life, and as yet a little foolhardy and undisciplined, and these facts too are reflected in my writings and actions of the period.

17. Sherman's and Kluge's interest was intelligence and they didn't want to hear much of my philosophy of guidance, courage and openness, so I turned my mind to the intelligence

game, and as always happens when I turn my mind to any subject. I had ideas. Some of these ideas I communicated to the Loyalists, some I wrote down, some were only funny. Our meetings had a secretive, spy story feel to them, partly because of the danger the Loyalists said they were in and the danger I was in anyone would say, partly because of the subject matter we discussed, and partly because of the settings in which we met. Sherman insisted that I couldn't come to his home, so we met on many occasions in the bird sanctuary in Griffith Park. My first meeting with Kluge was in a cemetery in Glendale. I met him two more times in early November at different locations in Griffith Park, and then met with Rinder two times in late November at two more locations in the park.

18. Sherman told me around October, 1984 that the Loyalists had found a potential backer, a woman named Rene, another "rich Scientologist," who he said had been horribly hurt by the organization. He said he knew her personally and considered her a good and trusted friend. He said that she owned a publishing company which printed calendars, that he had told her about my artwork and writing, and that she wanted to see some of my materials for possible publication. Following our first meeting in Griffith Park Kluge took me to the Sheraton Grand Hotel in downtown Los Angeles to meet her. I took along a file of some of my work and left it with her. In my meeting with her she wanted to know my perspective on the lawsuit idea and my thoughts on removing the organization's criminal leadership.

19. While claiming that the Loyalists wanted to take legal action to bring about a safe transfer of power, both Sherman and Kluge also claimed that they didn't know anything about legal matters, nor any of the organization's litigations, and that there were other people higher up in the Loyalist network who were trained in legal, stayed abreast of the organization's litigation battles, and had an understanding of the Loyalists' legal options and an overview of their plan which Sherman and Kluge didn't have. Coupled with their claimed need to keep me in the dark for fear of their lives, their assertions of ignorance of legal matters caused considerable frustration in me and in our communications. As a result, I requested in a number of communications to speak to their "best legal mind."

20. Finally the Loyalists said that their legal expert would meet me and a rendezvous was set up, again in Griffith Park. The "legal expert" turned out to be Mike Rinder, a person I had known in the organization, who had held various lower level administrative posts. Rinder, it turned out, also professed ignorance of legal concepts, and my meetings and communications with him were even more frustrating.

21. Some time after my last meeting with Rinder, which occurred November 30, 1984, I received a phone call from Kluge, advising me that the Loyalists did not trust me and would not be communicating with me again. I then wrote them my final communication, a copy of which is appended hereto as Exhibit A, and gave it to Sherman to give to them.

22. During my cross-examination in the spring, 1985 trial of Julie Christofferson v. Scientology, Circuit Court of the State of Oregon, Multnomah County, No. A7704-05184, the organization broke the fact that Sherman, Kluge and Rinder had been covert operatives, the Loyalists were invented, and that my meetings with Kluge and Rinder had been videotaped. The organization called the whole more than two year affair the "Armstrong Operation." Organization lawyers, Earle Cooley and John Peterson, claimed the Armstrong operation had been authorized by the Los Angeles Police Department, and they produced a letter dated November 7, 1984, a copy of which is appended hereto as Exhibit B, signed by an officer Phillip Rodriguez, directing organization private investigator Eugene M. Ingram to electronically eavesdrop on me and Michael Flynn.

23. On April 23, 1985, Los Angeles Police Chief Darryl F. Gates issued a public statement, a copy of which is appended hereto as Exhibit C, denying that the Rodriguez letter was a correspondence from the Los Angeles Police Department, denying that the Los Angeles Police Department had cooperated with Ingram, and stating emphatically that all purported authorizations directed to Ingram by any member of the Los Angeles Police Department are invalid and unauthorized. On information and belief, the officer, Phillip Rodriguez, who signed Ingram's letter was paid \$10,000.00 for his signature. Also on information and belief, following a Los Angeles Police Department Internal Affairs Division investigation and a Police

Department Board of Rights, Officer Rodriguez was suspended from the Los Angeles Police Force. Eugene Ingram had himself some years before been drummed out of the Los Angeles Police Department. He is reputed to have been busted for pandering and taking payoffs from drug dealers. He is a liar and a bully who has been involved in organization intelligence operations against its perceived enemies for many years. During the period I was involved with the Loyalists Ingram called me at my home and threatened to put a bullet between my eyes.

24. Initially the presiding judge in the Christofferson trial Donald F. Londer refused to admit the tapes because they had been obtained illegally. Then he viewed them in chambers and when he returned to the bench stated that "the tapes are damaging, very damaging to the church." Then he admitted them into evidence.

25. Despite Judge Londer's ruling and comments, and despite Chief Gates' repudiation of the Rodriguez "authorization," the organization has continued in press and courts around the world to claim that the videotape operation was "police-sanctioned." The organization has continued to claim that I originated the "plot to overthrow "church" management" and that I initiated the contact with the organization members, who merely played along with my plan while remaining "loyal" to the organization. It also has continued to claim that the videotapes show me plotting to forge documents and seed them in organization files to be found in a raid, show me creating "sham lawsuits," show me urging

the Loyalists to not prove anything but "just allege it," and show me seeking to take control of the organization. The videotapes show none of those things. The tapes show that in the fall of 1984, during the reign of the organization's present supreme leader David Miscavige (DM), the fair game doctrine was alive and as unfair as ever. The tapes show a mean-spirited, mendacious and malevolent organization using well-drilled operatives and electronic gadgetry to attempt, unsuccessfully, to set up an unwitting, funny, sometimes silly, clearly helpful, at times foul-mouthed, but otherwise ordinary human male.

26. The organization's refusal to stop telling these lies is not surprising, however, because its leaders have put so many of their eggs in their dirty tricks basket. These leaders are unbalanced and in a very precarious situation. Having lied about the Armstrong Operation in so many courts and publications and to so many people, including their own followers, these leaders risk their positions of power, and in their minds their very lives, if they ever admit the breadth of those lies. Yet it is in the acknowledgement of the truth behind those lies where ultimately their safety will be found.

27. It has not ceased to be embarrassing to me whenever the organization trots out the Armstrong videotapes, because I do say some silly and raunchy things. But the organization has never been able to embarrass me into silence and it won't now.

28. The Scientology legal war has almost run its course. The organization's leaders can never rewrite all history.

Scientologists of good will everywhere can be free.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on February 20, 1994.

A handwritten signature in black ink, appearing to be 'Gerald Armstrong', written over a horizontal line.

GERALD ARMSTRONG

GRAHAM E. BERRY, Bar No. 128503
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Attorneys for Defendant
UWE GEERTZ, Ph.D.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHURCH OF SCIENTOLOGY
INTERNATIONAL,

Plaintiff,

vs.

STEVEN FISHMAN and UWE GEERTZ,

Defendants.

No. CV 91-6426 HLH (Tx)

DECLARATION OF GERALD ARMSTRONG
RE: MOTION FOR COSTS

DATE: APRIL 4, 1994
TIME: 10:00 A.M.
COURTROOM: 7

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I am over 18 years of age and a resident of the State of California. I have personal knowledge of the matters set forth herein and if called upon to testify thereto I competently would.

2. I am making this declaration in response to certain statements, principally those concerning me, made by David Miscavige in his declaration executed February 8, 1994, and filed in the case of Scientology v. Fishman & Geertz, United States District Court for the Central District of California, Case No. CV 91-6425 HLH(Tx).

3. Mr. Miscavige states that I am a proven liar because he has found a discrepancy between a finding of Judge Paul G. Breckenridge Jr. in his decision rendered June 20, 1984 in the case of Scientology v. Armstrong, Los Angeles Superior Court No. C 420153 (Armstrong I), and a statement allegedly made by me and secretly recorded by Mr. Miscavige's covert intelligence operatives in the fall of 1984. (Miscavige dec. p. 31, l. 22 - p. 32, l. 5). Mr. Miscavige is employing one of Scientology's confusion techniques the organization's founder L. Ron Hubbard dubbed "dropped out time." Mr. Miscavige's incidents, which he has linked for purposes of confusion, are years apart.

4. In this civilization fear is generally accepted to be an emotion or state of mind which can either be present or not present, or perhaps present in degrees. It is fairly well accepted that a not abnormal person can be afraid one

1 day, when, for example there are a couple of unidentified
2 men at four a.m. outside the person's bedroom window where
3 no men ought to be at four a.m., and not afraid on another
4 day, when the person is, for example, watching the Dodgers
5 beat the Giants. That the person claimed to be afraid at
6 four a.m Sunday and not afraid at the Wednesday ballgame
7 does not make that person a proven liar. In my case there
8 were more than two years between one time when I was afraid
9 and the next occasion when Mr. Miscavige says I said I was
10 not afraid.

11 5. In his decision, a true and correct copy of which
12 is appended hereto as Exhibit A, Judge Breckenridge states:

13 "From his extensive knowledge of the
14 covert and intelligence operations
15 carried out by the Church of Scientology
16 of California against its enemies
17 (suppressive persons), Defendant
18 Armstrong became terrified and feared
19 that his life and the life of his wife
20 were in danger, and he also feared he
21 would be the target of costly and
22 harassing lawsuits."

23

24 "It was thereafter, in the summer of
25 1982, that Defendant Armstrong asked Mr.
26 Garrison for copies of documents to use
27 in his defense and sent the documents to
28 his attorneys, Michael Flynn and Contos

1 & Bunch.

2 After the within suit was filed on
3 August 2, 1982, Defendant Armstrong was
4 the subject of harassment, including
5 being followed and surveilled by
6 individuals who admitted employment by
7 [Scientology]; being assaulted by one of
8 these individuals; being struck bodily
9 by a car driven by one of these
10 individuals; having two attempts made by
11 said individuals apparently to involve
12 Defendant Armstrong in a freeway
13 automobile accident; having said
14 individuals come onto Defendant
15 Armstrong's property, spy in his
16 windows, create disturbances, and upset
17 his neighbors." (Ex. A. Appendix p. 14,
18 1. 6 - p. 15, 1. 3)

19 6. It is clear that Judge Breckenridge in his
20 statements about my fear of organization legal and extra-
21 legal attacks is referring to my state of mind in the period
22 between the organization's publication of its "Suppressive
23 Person Declares" on me in early 1982 and its filing of
24 Armstrong I in August, 1982. This fear was not irrational
25 or unfounded as the organization itself proved when it
26 harassed my wife and me as Judge Breckenridge found, and did
27 file harassing and costly lawsuits against me. All of these
28 harassing and criminal acts were carried out during Mr.

1 Miscavige's control of such activities, which he claims to
2 have wrested from the Guardian's Office, which, itself, just
3 as he himself, according to Mr. Miscavige "used unscrupulous
4 means to deal with people they perceived as enemies of the
5 Church." (Miscavige dec. p. 17, l. 17).

6 7. Mr. Miscavige's new Guardian's Office, the Office
7 of Special Affairs, did not end its criminal and abusive
8 tactics with the incidents listed by Judge Breckenridge, but
9 has added ten more years of "fair game" attacks since the
10 1984 decision, including, but not limited to:

- 11 a. attempted framing by entrapment and illegal
12 videotaping;
- 13 b. filing false criminal charges with the Los Angeles
14 District Attorney;
- 15 c. filing false criminal charges with the Boston
16 office of the FBI;
- 17 d. filing false declarations;
- 18 e. bringing contempt of court proceedings on three
19 occasions based on false charges;
- 20 f. making false accusations in internationally
21 published media of crimes, including crimes
22 against humanity;
- 23 g. culling and disseminating information from my
24 supposedly confidential auditing (psychotherapy)
25 files;
- 26 h. relentlessly attacking my attorney, Michael Flynn
27 of Boston, Massachusetts with some 15 lawsuits,
28 baseless bar complaints, theft of office

- documents, infiltration of his law practice, framing him with the forgery of a \$2,000,000 check, an international black PR campaign, threats to him and his family, and, according to him, attempted assassination; all for the purpose of driving him out of the organization-related litigation in order to leave his clients undefended against the organization's attacks;
- i. fraudulently promising to discontinue "fair game" against me if I settled my cross-complaint against the organization, knowing full well that it would continue to attack me in the courts and the marketplace of ideas once I signed its settlement contract, which I did in December, 1986, and once it had contracted with Mr. Flynn to not defend me in future litigation;
 - j. following the settlement, publishing a false and unfavorable description of me in a "dead agent" pack relating to writer and anti-Scientology litigant Bent Corydon;
 - k. filing several affidavits in the case of Church of Scientology of California v. Russell Miller and Penguin Books Limited, case no. 6140 in the High Court of Justice in London England which falsely accused me of violations of court orders, and falsely labeled me "an admitted agent provocateur of the U.S. Federal Government";
 - l. delivering copies of an edited version of an

1 illegally obtained 1984 videotape of me to the
2 international media;

3 m. threatening me with lawsuits on six occasions if I
4 did not abet its obstruction of justice in the
5 Miller case, in the case of Bent Corydon v.
6 Scientology, Los Angeles Superior Court No. C
7 694401, wherein Corydon had subpoenaed me as a
8 witness, and in the case of Scientology v. Yanny,
9 Los Angeles Superior Court No. C 690211;

10 n. threatening to release my confidences, which it
11 had stolen from a friend, and which had been
12 specifically sealed by Judge Breckenridge in
13 Armstrong I if I did not assist it in preventing
14 Corydon from gaining access to the Armstrong I
15 court file;

16 o. on February 4, 1992, filing a lawsuit, Scientology
17 v. Gerald Armstrong, Marin Superior Court Case No.
18 152229 ("Armstrong II"), transferred to Los
19 Angeles Superior Court and given Case No. BC
20 052395, alleging contract breaches, which it
21 itself precipitated, for the purposes of, inter
22 alia, obstructing justice, suppressing evidence,
23 assassinating my reputation, retaliation and
24 intimidation;

25 p. on July 8, 1993, filing a lawsuit Scientology v.
26 Gerald Armstrong & The Gerald Armstrong
27 Corporation, Los Angeles Superior Court Case No.
28 BC 084642 ("Armstrong III") for the same purposes

1 as in o. above;

2 q. on July 23, 1993, filing a lawsuit, Scientology v.
3 Gerald Armstrong, Michael Walton & The Gerald
4 Armstrong Corporation, Marin Superior Court Case
5 No. 157680 ("Armstrong IV") for the same purposes
6 as in o. above;

7 r. twice more bringing contempt of court charges
8 against me based on false sworn statements.

9 s. The videotapes from which Mr. Miscavige claims to
10 quote were made in November, 1984. In order to provide a
11 context for how I came to be involved with his operatives
12 who set up the videotaping and to clarify the words of both
13 the operatives and myself which were recorded, and a few of
14 which Mr. Miscavige claims to quote, I am appending hereto
15 as Exhibit B a copy of a declaration/screenplay outline I
16 have just completed and called "Find a Better Basket."

17 9. When I state on the 1984 videotape that I am not
18 afraid, I am answering one of the operatives' questions or
19 challenges which he has been drilled to state. In
20 responding the way I did I am honestly communicating one of
21 the changes I had perceived in my psyche over the almost
22 three years since I left the organization. Because the
23 organization teaches its members to put their faith in what
24 cannot protect them; e.g., data, wins, attacks, hatred,
25 disconnection, leverage, lawsuits, private investigators,
26 fair game, L. Ron Hubbard or David Miscavige; it leaves them
27 with a seemingly irreducible fear. Those who put their
28 faith in God, Wherein lies perfect protection, give up their

1 fear. There will still be times when fear will arise, but
2 the reestablishing of faith in God will every time cause
3 that fear to disappear into the nothing it is. I was
4 beginning to learn that wisdom by the time of the 1984
5 videotaping. In fact it was that learning which seemed to
6 move me to associate with the operatives who only sought my
7 destruction. I have stated many times that I have an
8 undeniable concern that before it comes to its senses or
9 saner minds prevail in the organization its power structure
10 headed by Mr. Miscavige will have me assassinated or do
11 something else diabolical and dangerous, and this has
12 produced in me an awareness of threat and is a fact of my
13 present psychological condition. The power structure is
14 quite capable of violent and criminal acts, or of purchasing
15 such acts. The power structure is armed, and its head PI
16 Eugene M. Ingram has threatened to kill me. The power
17 structure makes a religion of terrifying countless
18 vulnerable and innocent people who do not have my certainty
19 and do not have my skills to fight the organization's
20 tyranny. For these reasons I oppose its tyranny and its
21 suppressive doctrines and practices. Mr. Miscavige should
22 not be pointing out imagined inconsistencies in whether one
23 of his victims in one year or another was afraid or not of
24 his vicious organization, but should be eliminating all of
25 its viciousness so that no one ever again is made afraid by
26 it.

27 10. Mr. Miscavige calls the videotaping of me "a
28 police-sanctioned investigation." (Miscavige Dec. p. 31, 1.

1 28) This is a lie Mr. Miscavige must tell as if his life
2 depends on it. I provided the truth in "Find a Better
3 Basket."

4 "Organization lawyers, Earle Cooley and John
5 Peterson, claimed (during the 1985 trial of Julie
6 Christofferson v. Scientology, Circuit Court of
7 the State of Oregon, Multnomah County, No. A7704-
8 05184, that) the Armstrong operation had been
9 authorized by the Los Angeles Police Department,
10 and they produced a letter dated November 7, 1984,
11 signed by an officer Phillip Rodriguez,
12 directing organization private investigator Eugene
13 M. Ingram to electronically eavesdrop on me and
14 Michael Flynn.

15 On April 23, 1985, Los Angeles Police Chief
16 Daryl F. Gates issued a public statement,
17 denying that the Rodriguez letter was a
18 correspondence from the Los Angeles Police
19 Department, denying that the Los Angeles Police
20 Department had cooperated with Ingram, and stating
21 emphatically that all purported authorizations
22 directed to Ingram by any member of the Los
23 Angeles Police Department are invalid and
24 unauthorized. On information and belief, the
25 officer, Phillip Rodriguez, who signed Ingram's
26 letter was paid \$10,000.00 for his signature.
27 Also on information and belief, following a Los
28 Angeles Police Department Internal Affairs

1 Division investigation and a Police Department
2 Board of Rights, Officer Rodriguez was suspended
3 from the Los Angeles Police Force." ("Better
4 Basket," p. 13, paras. 22 and 23)

5 A copy of Officer Rodriguez's "authorization" is appended
6 hereto as Exhibit C, and a copy of Chief Gates' public
7 announcement is appended hereto as Exhibit D.

8 11. Mr. Miscavige claims that his illegal videotapes
9 of me capture me acknowledging my real motives, to overthrow
10 his organization's leadership and gain control of it.
11 (Miscavige Dec. p. 32, 1.1 - 1.3) This is absurd. His own
12 people, operated by him, came to me with their idea,
13 approved by him, as outlined in "Better Basket," of wresting
14 control of the organization from what they called the
15 "criminals" running it. I have never had a desire control
16 the Scientology organization or Scientology, although I
17 recognize that its leaders should be restrained from further
18 abuse of anyone. My real motive in my day-to-day
19 relationship with its leaders is to get it out of the
20 litigation business and get it to cease its assault on the
21 justice system, its abuse of innocence and its threatening
22 of me, my friends and people of good will everywhere. I
23 know David Miscavige personally. I know him to be a bully,
24 a liar and a perfect replacement for L. Ron Hubbard at the
25 controls of his empire. I also know that God is in him as
26 He is in everyone else and that bullying and lying are just
27 mad and useless efforts to fight that fact.

28 12. Mr. Miscavige states that I advise one of his

1 covert operatives to accuse the organization of various
2 criminal acts and when I am told that no evidence exists to
3 support those charges I respond to "just allege it."
4 (Miscavige Dec. p. 32, l. 5 - l. 8) "Better Basket"
5 describes something of the context in which I make a
6 statement differentiating between "allegations" and "proof."
7 The operative I'm talking to is Mike Rinder. Before this
8 meeting I had already, on request of the "Loyalists,"
9 provided them with a "bare bones" draft of a complaint.
10 Complaints contain allegations. Complaints do not contain
11 proof. Rinder, who had been represented to me as the
12 Loyalists' "best legal mind" couldn't seem to get the
13 distinction between allegations and proof in the complaint,
14 and I was frustrated in our conversation because he seemed
15 so dense. Now, of course, his denseness is fully
16 understandable. He had to appear stupid and had to deny
17 that there was any "proof" of the sort of allegations that
18 would be made in a complaint because he knew he was being
19 recorded on a videotape which was going to be used to
20 attack, and if possible destroy me. Even what the
21 organization has done to me alone (see, e.g., crimes listed
22 by Judge Breckenridge and the list in paragraph 7 above) is
23 enough for actual true-hearted reformers to bring a lawsuit
24 to take control of the organization from the criminals now
25 in charge.

26 13. During Mr. Miscavige's videotape operation a
27 briefcase containing a book of my original drawings and
28 writings and other documents was stolen from the trunk of my

1 car. My attorney made a demand on the organization for the
2 return of these materials. The organization denied having
3 them. I have recently been advised by Vicki Aznaran, a
4 former organization executive who carried out operations
5 against individuals on Mr. Miscavige's orders, that he told
6 her at the time of their theft that he had them and he
7 described them to her. Knowing that this declaration will
8 be seen by Mr. Miscavige, I herewith renew my demand to him
9 for the return of my materials to me.

10 14. I will also take the opportunity to advise this
11 Court that Mr. Miscavige's organization considers that it
12 has me under a contract whereby it may sue me for filing
13 this declaration, not because it is untrue or libelous, but
14 because that is what the organization insists its contract
15 permits. This contract was obtained by Mr. Miscavige as the
16 result of his organization's years of attack on my attorney
17 Michael Flynn, as stated in paragraph 7 subparagraph h.
18 above. In order to get the organization to cease its fair
19 game against Mr. Flynn I had to sign its contract, which,
20 according to Mr. Miscavige, allows him and his agents to say
21 whatever they want about me in any court proceeding or in
22 the media and I may not respond. If I do respond I become
23 subject to a \$50,000.00 liquidated damages provision for
24 every utterance, and the target in another Miscavige-ordered
25 costly and harassing lawsuit. The three lawsuits, Armstrong
26 II, III and IV described in paragraph 7, subparagraphs o, p
27 and q, and the contempt of court proceedings at subparagraph
28 r, are all pursuant to this contract. The contract is

1 against public policy and illegal. Mr. Miscavige, moreover,
2 entered into a separate illegal contract with Mr. Flynn,
3 which prohibits Mr. Flynn from assisting me in any
4 litigation against the organization. If Mr. Flynn were to
5 assist me he would again be subjected to "fair game." Mr.
6 Miscavige would be wise to rescind all these illegal
7 contracts and discontinue his abuse of the legal process and
8 totally eliminate from his organization the doctrine and
9 practice of fair game, and not merely deny its existence.


10 15. Mr. Miscavige claims to know a great deal about
11 the IRS dropping me as a witness because of his videotapes.
12 In truth I was not dropped as a witness at all, and my
13 credibility, despite more than twelve years of his
14 organization's attacks on it, is intact. One of the
15 conditions of the 1986 "settlement" with Mr. Miscavige's
16 organization was that in order for the organization to
17 discontinue the "fair game" against Mr. Flynn I had to sign
18 a knowingly false affidavit, essentially stating that Mr.
19 Miscavige's new regime had discontinued the organization's
20 criminal activities. Mr. Flynn claimed that the
21 organization had already tried to murder him and he felt his
22 life and his family were in danger. I fully believed Mr.
23 Flynn because I had myself been the target of fair game for
24 five years by then and had likewise been threatened with
25 murder. I, along with several other of Mr. Flynn's clients,
26 therefore signed these false affidavits which the
27 organization had prepared. The organization then filed the
28 false affidavits in its IRS litigations. Mr. Miscavige

1 makes much of the IRS granting his organization tax exempt
2 status. Our government's turning its back on this
3 organization's thousands of victims and apparently ignoring
4 its obnoxious, irreligious and criminal core nature,
5 however, does not make this victimization and antisocial
6 nature either right or religious.

7 16. Mr. Miscavige also claims that Scientology's
8 philosophy and practice of opportunistic hatred, called
9 "fair game" by L. Ron Hubbard, its originator, doesn't
10 exist. It does.

11 I declare under the penalty of perjury under the laws
12 of the State of California that the foregoing is true and
13 correct.

14 Executed at San Anselmo, California, on February 22,
15 1994.

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22 GERALD ARMSTRONG
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FILED

JUN 22 1984
JUL 1 1984

Rosie M. Hart
BY ROSIE M. HART, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

Plaintiff,

vs.

GERALD ARMSTRONG,

Defendant.

MARY SUE HUBBARD,

Intervenor.

No. C 420153

MEMORANDUM OF
INTENDED DECISION

In this matter heretofore taken under submission, the
Court announces its intended decision as follows:

As to the tort causes of action, plaintiff, and plaintiff
in intervention are to take nothing, and defendant is entitled
to Judgment and costs.

As to the equitable actions, the court finds that neither
plaintiff has clean hands, and that at least as of this time,
are not entitled to the immediate return of any document or
objects presently retained by the court clerk. All exhibits

1 received in evidence or marked for identification, unless
2 specifically ordered sealed¹, are matters of public record and
3 shall be available for public inspection or use to the same
4 extent that any such exhibit would be available in any other
5 lawsuit. In other words they are to be treated henceforth no
6 differently than similar exhibits in other cases in Superior
7 Court. Furthermore, the "inventory list and description," of
8 materials turned over by Armstrong's attorneys to the court,
9 shall not be considered or deemed to be confidential, private,
10 or under seal.

11 All other documents or objects presently in the possession
12 of the clerk (not marked herein as court exhibits) shall be
13 retained by the clerk, subject to the same orders as are
14 presently in effect as to sealing and inspection, until such
15 time as trial court proceedings are concluded as to the severed
16 cross complaint. For the purposes of this Judgment, conclusion
17 will occur when any motion for a new trial has been denied, or
18 the time within such a motion must be brought has expired
19 without such a motion being made. At that time, all documents
20 neither received in evidence, nor marked for identification
21 only, shall be released by the clerk to plaintiff's
22 representatives. Notwithstanding this order, the parties may
23
24

25 1. Exhibits in evidence No. 500-40; JJJ; KKK; LLL; MMM;
26 NNN; OOO; PPP; QQQ; RRR; and 500-QQQQ.

27 Exhibits for identification only No. JJJJ; Series
28 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ,
CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, BBBBBB,
OOOOOO, BBBBBBB.

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1 at any time by written stipulation filed with the clerk obtain
2 release of any or all such unused materials.

3 Defendant and his counsel are free to speak or communicate
4 upon any of Defendant Armstrong's recollections of his life as
5 a Scientologist or the contents of any exhibit received in
6 evidence or marked for identification and not specifically
7 ordered sealed. As to all documents, and other materials held
8 under seal by the clerk, counsel and the defendant shall remain
9 subject to the same injunctions as presently exist, at least
10 until the conclusion of the proceedings on the cross complaint.
11 However, in any other legal proceedings in which defense
12 counsel, or any of them, is of record, such counsel shall have
13 the right to discuss exhibits under seal, or their contents, if
14 such is reasonably necessary and incidental to the proper
15 representation of his or her client.

16 Further, if any court of competent jurisdiction orders
17 defendant or his attorney to testify concerning the fact of any
18 such exhibit, document, object, or its contents, such testimony
19 shall be given, and no violation of this order will occur.
20 Likewise, defendant and his counsel may discuss the contents of
21 any documents under seal or of any matters as to which this
22 court has found to be privileged as between the parties hereto,
23 with any duly constituted Governmental Law Enforcement Agency
24 or submit any exhibits or declarations thereto concerning such
25 document or materials, without violating any order of this
26 court.

27 ///

28 ///

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1 This court will retain jurisdiction to enforce, modify,
2 alter, or terminate any injunction included within the
3 Judgment.

4 Counsel for defendant is ordered to prepare, serve, and
5 file a Judgment on the Complaint and Complaint in Intervention,
6 and Statement of Decision if timely and properly requested,
7 consistent with the court's intended decision.

8
9 Discussion

10 The court has found the facts essentially as set forth in
11 defendant's trial brief, which as modified, is attached as an
12 appendix to this memorandum. In addition the court finds that
13 while working for L.R. Hubbard (hereinafter referred to as
14 LRH), the defendant also had an informal employer-employee
15 relationship with plaintiff Church, but had permission and
16 authority from plaintiffs and LRH to provide Omar Garrison with
17 every document or object that was made available to Mr. --
18 Garrison, and further, had permission from Omar Garrison to
19 take and deliver to his attorneys the documents and materials
20 which were subsequently delivered to them and thenceforth into
21 the custody of the County Clerk.

22 Plaintiff Church has made out a prima facie case of
23 conversion (as bailor of the materials), breach of fiduciary
24 duty, and breach of confidence (as the former employer who
25 provided confidential materials to its then employee for
26 certain specific purposes, which the employee later used for
27 other purposes to plaintiff's detriment). Plaintiff Mary Jane
28 Hubbard has likewise made out a prima facie case of conversion

1 and invasion privacy (misuse by a person of private matters
2 entrusted to him for certain specific purposes only).

3 While defendant has asserted various theories of defense,
4 the basic thrust of his testimony is that he did what he did,
5 because he believed that his life, physical and mental well
6 being, as well as that of his wife were threatened because the
7 organization was aware of what he knew about the life of LRH,
8 the secret machinations and financial activities of the Church,
9 and his dedication to the truth. He believed that the only way
10 he could defend himself, physically as well as from harassing
11 lawsuits, was to take from Omar Garrison those materials which
12 would support and corroborate everything that he had been
13 saying within the Church about LRH and the Church, or refute
14 the allegations made against him in the April 22 Suppressive
15 Person Declare. He believed that the only way he could be sure
16 that the documents would remain secure for his future use was
17 to send them to his attorneys, and that to protect himself, he
18 had to go public so as to minimize the risk that LRH, the
19 Church, or any of their agents would do him physical harm.

20 This conduct if reasonably believed in by defendant and
21 engaged in by him in good faith, finds support as a defense to
22 the plaintiff's charges in the Restatements of Agency, Torts,
23 and case law.

24 Restatement of Agency, Second, provides:

25 "Section 395f: An agent is privileged to reveal
26 information confidentially acquired by him in the course
27 of his agency in the protection of a superior interest of
28 himself or a third person.

1 "Section 418: An agent is privileged to protect
2 interests of his own which are superior to those of the
3 principal, even though he does so at the expense of the
4 principal's interest or in disobedience to his orders."

5 Restatement of torts, Second, section 271:

6 "One is privileged to commit an act which would
7 otherwise be a trespass to or a conversion of a chattel in
8 the possession of another, for the purpose of defending
9 himself or a third person against the other, under the
10 same conditions which would afford a privilege to inflict
11 harmful or offensive contact upon the other for the same
12 purpose."

13 The Restatement of Torts, Second, section 652a, as well as
14 case law, make it clear that not all invasions of privacy are
15 unlawful or tortious. It is only when the invasion is
16 unreasonable that it becomes actionable. Hence, the trier of
17 fact must engage in a balancing test, weighing the nature and
18 extent of the invasion, as against the purported justification
19 therefore to determine whether in a given case, the particular
20 invasion or intrusion was unreasonable.

21 In addition the defendant has asserted as a defense the
22 principal involved in the case of Willig v. Gold, 75
23 Cal.App.2d, 809, 814, which holds that an agent has a right or
24 privilege to disclose his principal's dishonest acts to the
25 party prejudicially affected by them.

26 Plaintiff Church has asserted and obviously has certain
27 rights arising out of the First Amendment. Thus, the court
28 cannot, and has not, inquired into or attempted to evaluate the

merits, accuracy, or truthfulness of Scientology or any of its precepts as a religion. First Amendment rights, however, cannot be utilized by the Church or its members, as a sword to preclude the defendant, whom the Church is suing, from defending himself. Therefore, the actual practices of the Church or its members, as it relates to the reasonableness of the defendant's conduct and his state of mind are relevant, admissible, and have been considered by the court.

As indicated by its factual findings, the court finds the testimony of Gerald and Jocelyn Armstrong, Laurel Sullivan, Nancy Dincalcis, Edward Walters, Omar Garrison, Kima Douglas, and Howard Schomer to be credible, extremely persuasive, and the defense of privilege or justification established and corroborated by this evidence. Obviously, there are some discrepancies or variations in recollections, but these are the normal problems which arise from lapse of time, or from different people viewing matters or events from different perspectives. In all critical and important matters, their testimony was precise, accurate, and rang true. The picture painted by these former dedicated Scientologists, all of whom were intimately involved with LRH, or Mary Jane Hubbard, or of the Scientology Organization, is on the one hand pathetic, and on the other, outrageous. Each of these persons literally gave years of his or her respective life in support of a man, LRH, and his ideas. Each has manifested a waste and loss or frustration which is incapable of description. Each has broken with the movement for a variety of reasons, but at the same time, each is, still bound by the knowledge that the Church has.

1 in its posse. On his or her most inner thoughts and
2 confessions, all recorded in "pre-clear (P.C.) folders" or
3 other security files of the organization, and that the Church
4 or its minions is fully capable of intimidation or other
5 physical or psychological abuse if it suits their ends. The
6 record is replete with evidence of such abuse.

7 In 1970 a police agency of the French Government conducted
8 an investigation into Scientology and concluded, "this sect,
9 under the pretext of 'freeing humans' is nothing in reality but
10 a vast enterprise to extract the maximum amount of money from
11 its adepts by (use of) pseudo-scientific theories, by (use of)
12 'auditions' and 'stage settings' (lit. to create a theatrical
13 scene') pushed to extremes (a machine to detect lies, its own
14 particular phraseology . . .), to estrange adepts from their
15 families and to exercise a kind of blackmail against persons
16 who do not wish to continue with this sect."² From the
17 evidence presented to this court in 1984, at the very least,
18 similar conclusions can be drawn. In addition to violating and
19 abusing its own members civil rights, the organization over the
20 years with its "Fair Game" doctrine has harassed and abused
21 those persons not in the Church whom it perceives as enemies.
22 The organization clearly is schizophrenic and paranoid, and
23 this bizarre combination seems to be a reflection of its
24 founder LRM. The evidence portrays a man who has been
25 virtually a pathological liar when it comes to his history,
26
27

28 2. Exhibit 500-HHHHH.

1 background, - achievements. The writ. ,s and documents in
2 evidence additionally reflect his egoism, greed, avarice, lust
3 for power, and vindictiveness and aggressiveness against
4 persons perceived by him to be disloyal or hostile. At the
5 same time it appears that he is charismatic and highly capable
6 of motivating, organizing, controlling, manipulating, and
7 inspiring his adherents. He has been referred to during the
8 trial as a "genius," a "revered person," a man who was "viewed
9 by his followers in awe." Obviously, he is and has been a very
10 complex person, and that complexity is further reflected in his
11 alter ego, the Church of Scientology. Notwithstanding
12 protestations to the contrary, this court is satisfied that LRH
13 runs the Church in all ways through the Sea Organization, his
14 role of Commodore, and the Commodore's Messengers.³ He has, of
15 course, chosen to go into "seclusion," but he maintains contact
16 and control through the top messengers. Seclusion has its
17 light and dark side too. It adds to his mystique, and yet
18 shields him from accountability and subpoena or service of
19 summons.

20 LRH's wife, Mary Sue Hubbard is also a plaintiff herein.
21 On the one hand she certainly appeared to be a pathetic
22 individual. She was forced from her post as Controller,
23 convicted and imprisoned as a felon, and deserted by her
24 husband. On the other hand her credibility leaves much to be
25 desired. She struck the familiar pose of not seeing, hearing,
26

27 3. See Exhibit K: Flag Order 3729 - 15 September 1978
28 "Commodore's Messengers."

1 or knowing a evil. Yet she was the h... of the Guardian
2 Office for years and among other things, authored the infamous
3 order "GO 121669"⁴ which directed culling of supposedly ...
4 confidential P.C. files/folders for purposes of internal
5 security. In her testimony she expressed the feeling that
6 defendant by delivering the documents, writings, letters to his
7 attorneys, subjected her to mental rape. The evidence is clear
8 and the court finds that defendant and Omar Garrison had
9 permission to utilize these documents for the purpose of
10 Garrison's proposed biography. The only other persons who were
11 shown any of the documents were defendant's attorneys, the
12 Douglasses, the Dincalcis, and apparently some documents
13 specifically affecting LRH's son "Nibs," were shown to "Nibs."
14 The Douglasses and Dincalcises were disaffected Scientologists
15 who had a concern for their own safety and mental security, and
16 were much in the same situation as defendant. They had not
17 been declared as suppressive, but Scientology had their P.C.
18 folders, as well as other confessions, and they were extremely
19 apprehensive. They did not see very many of the documents, and
20 it is not entirely clear which they saw. At any rate Mary Sue
21 Hubbard did not appear to be so much distressed by this fact,
22 as by the fact that Armstrong had given the documents to
23 Michael Flynn, whom the Church considered its foremost
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4. Exhibit AAA.

13/

- 10 -

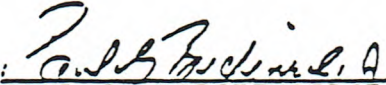
1 lawyer-enemy." However, just as the plaintiffs have First
2 Amendment rights, the defendant has a Constitutional right to
3 an attorney of his own choosing. In legal contemplation the
4 fact that defendant selected Mr. Flynn rather than some other
5 lawyer cannot by itself be tortious. In determining whether
6 the defendant unreasonably invaded Mrs. Hubbard's privacy, the
7 court is satisfied the invasion was slight, and the reasons and
8 justification for defendant's conduct manifest. Defendant was
9 told by Scientology to get an attorney. He was declared an
10 enemy by the Church. He believed, reasonably, that he was
11 subject to "fair game." The only way he could defend himself,
12 his integrity, and his wife was to take that which was
13 available to him and place it in a safe harbor, to wit, his
14 lawyer's custody. He may have engaged in overkill, in the
15 sense that he took voluminous materials, some of which appear
16 only marginally relevant to his defense. But he was not a
17 lawyer and cannot be held to that precise standard of judgment.
18 Further, at the time that he was accumulating the material, he
19 was terrified and undergoing severe emotional turmoil. The
20 court is satisfied that he did not unreasonably intrude upon
21 Mrs. Hubbard's privacy under the circumstances by in effect
22 simply making his knowledge that of his attorneys. It is, of
23 course, rather ironic that the person who authorized G.O. order
24 121669 should complain about an invasion of privacy. The

25
26 5. "No, I think my emotional distress and upset is the
27 fact that someone took papers and materials without my
28 authorization and then gave them to your Mr. Flynn."
Reporter's Transcript, p. 1006.

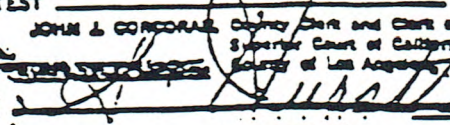
1 practice of culling supposedly confidential "P.C. folders or
2 files" to obtain information for purposes of intimidation
3 and/or harassment is repugnant and outrageous. The Guardian's
4 Office, which plaintiff headed, was no respecter of anyone's
5 civil rights, particularly that of privacy. Plaintiff Mary Sue
6 Hubbard's cause of action for conversion must fail for the same
7 reason as plaintiff Church. The documents were all together in
8 Omar Garrison's possession. There was no rational way the
9 defendant could make any distinction.

10 Insofar as the return of documents is concerned, matters
11 which are still under seal may have evidentiary value in the
12 trial of the cross complaint or in other third party
13 litigation. By the time that proceedings on the cross
14 complaint are concluded, the court's present feeling is that
15 those documents or objects not used by that time should be
16 returned to plaintiff. However, the court will reserve
17 jurisdiction to reconsider that should circumstances warrant.

18 Dated: June 20, 1984

19
20 
21 PAUL G. BRECKENRIDGE, JR.
22 Judge of the Superior Court

23
24 THE DOCUMENT TO WHICH THIS CERTIFICATE IS AT-
25 TACHED IS A FULL TRUE AND CORRECT COPY OF THE
26 ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

27
28 ATTEST SEP 11 1984 19
JOHN L. CORCORAN, Deputy Clerk and Clerk of the
Superior Court of California,
County of Los Angeles
BY  DEPUTY
S. HURST

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Appendix

Defendant Armstrong was involved with Scientology from 1969 through 1981, a period spanning 12 years. During that time he was a dedicated and devoted member who revered the founder, L. Ron Hubbard. There was little that Defendant Armstrong would not do for Hubbard or the Organization. He gave up formal education, one-third of his life, money and anything he could give in order to further the goals of Scientology, goals he believed were based upon the truth, honesty, integrity of Hubbard and the Organization.

From 1971 through 1981, Defendant Armstrong was a member of the Sea Organization, a group of highly trained scientologists who were considered the upper echelon of the Scientology organization. During those years he was placed in various locations, but it was never made clear to him exactly which Scientology corporation he was working for. Defendant Armstrong understood that, ultimately, he was working for L. Ron Hubbard, who controlled all Scientology finances, personnel, and operations while Defendant was in the Sea Organization.

Beginning in 1979 Defendant Armstrong resided at Gilman Hot Springs, California, in Hubbard's "Household Unit." The Household Unit took care of the personal wishes and needs of Hubbard at many levels. Defendant Armstrong acted as the L. Ron Hubbard Renovations In-Charge and was responsible for renovations, decoration, and maintenance of Hubbard's home and office at Gilman Hot Springs.

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- 1 -

1 In January of 1980 there was an announcement of a possible
2 raid to be made by the FBI or other law enforcement agencies of
3 the property. Everyone on the property was required by
4 Hubbard's representatives, the Commodore's Messengers, to go
5 through all documents located on the property and "vet" or
6 destroy anything which showed that Hubbard controlled
7 Scientology organizations, retained financial control, or was
8 issuing orders to people at Gilman Hot Springs.

9 A commercial paper shredder was rented and operated day
10 and night for two weeks to destroy hundreds of thousands of
11 pages of documents.

12 During the period of shredding, Brenda Black, the
13 individual responsible for storage of Hubbard's personal
14 belongings at Gilman Hot Springs, came to Defendant Armstrong
15 with a box of documents and asked whether they were to be
16 shredded. Defendant Armstrong reviewed the documents and found
17 that they consisted of a wide variety of documents including
18 Hubbard's personal papers, diaries, and other writings from a
19 time before he started Dianetics in 1950, together with
20 documents belonging to third persons which had apparently been
21 stolen by Hubbard or his agents. Defendant Armstrong took the
22 documents from Ms. Black and placed them in a safe location on
23 the property. He then searched for and located another twenty
24 or more boxes containing similar materials, which were poorly
25 maintained.

26 On January 8, 1980, Defendant Armstrong wrote a petition
27 to Hubbard requesting his permission to perform the research
28 for a biography to be done about his life. The petition states.

1 that Defendant Armstrong had located the subject materials and
2 lists of a number of activities he wished to perform in
3 connection with the biography research.

4 Hubbard approved the petition, and Defendant Armstrong
5 became the L. Ron Hubbard Personal Relations Officer Researcher
6 (PPRO Res). Defendant claims that this petition and its
7 approval forms the basis for a contract between Defendant and
8 Hubbard. Defendant Armstrong's supervisor was then Laurel
9 Sullivan, L. Ron Hubbard's Personal Public Relations Officer.

10 During the first part of 1980, Defendant Armstrong moved
11 all of the L. Ron Hubbard Archives materials he had located at
12 Gilman Hot Springs to an office in the Church of Scientology
13 Cedars Complex in Los Angeles. These materials comprised
14 approximately six file cabinets. Defendant Armstrong had
15 located himself in the Cedars Complex, because he was also
16 involved in "Mission Corporate Category Sort-Out," a mission to
17 work out legal strategy. Defendant Armstrong was involved with
18 this mission until June of 1980.

19 It was also during this early part of 1980 that Hubbard
20 left the location in Gilman Hot Springs, California, and went
21 into hiding. Although Defendant Armstrong was advised by
22 Laurel Sullivan that no one could communicate with Hubbard,
23 Defendant Armstrong knew that the ability for communication
24 existed, because he had forwarded materials to Hubbard at his
25 request in mid-1980.

26 Because of this purported inability to communicate with
27 Hubbard, Defendant Armstrong's request to purchase biographical
28 materials of Hubbard from people who offered them for sale went

1 to the Commoc. 's Messenger Organization, the personal
2 representatives of Hubbard.

3 In June of 1980 Defendant Armstrong became involved in the
4 selection of a writer for the Hubbard biography. Defendant
5 Armstrong learned that Hubbard had approved of a biography
6 proposal prepared by Omar Garrison, a writer who was not a
7 member of Scientology. Defendant Armstrong had meetings with
8 Mr. Garrison regarding the writing of the biography and what
9 documentation and assistance would be made available to him.
10 As understood by Mr. Garrison, Defendant Armstrong represented
11 Hubbard in these discussions.

12 Mr. Garrison was advised that the research material he
13 would have at his disposal were Hubbard's personal archives.

14 Mr. Garrison would only undertake a writing of the biography if
15 the materials provided to him were from Hubbard's personal
16 archives, and only if his manuscript was subject to the
17 approval of Hubbard himself.

18 In October of 1980 Mr. Garrison came to Los Angeles and
19 was toured through the Hubbard archives materials that
20 Defendant Armstrong had assembled up to that time. This was an
21 important "selling point" in obtaining Mr. Garrison's agreement
22 to write the biography. On October 30, 1980, an agreement was
23 entered into between Ralston-Pilot, ncw. F/S/O Omar V.
24 Garrison, and AOSH DK Publications of Copenhagen, Denmark, for
25 the writing of a biography of Hubbard.

26 Paragraph 10B of the agreement states that:

27 "Publisher shall use its best efforts to provide
28 Author with an office, an officer assistant and/or

1 research assistant, office supplies and any needed
2 archival and interview materials in connection with
3 the writing of the Work."

4 The "research assistant" provided to Mr. Garrison was
5 Defendant Armstrong.

6 During 1980 Defendant Armstrong exchanged correspondence
7 with Intervenor regarding the biography project. Following his
8 approval by Hubbard as biography researcher, Defendant
9 Armstrong wrote to Intervenor on February 5, 1980, advising her
10 of the scope of the project. In the letter Defendant stated
11 that he had found documents which included Hubbard's diary from
12 his Orient trip, poems, essays from his youth, and several
13 personal letters, as well as other things.

14 By letter of February 11, 1980, Intervenor responded to
15 Defendant, acknowledging that he would be carrying out the
16 duties of Biography Researcher.

17 On October 14, 1980, Defendant Armstrong again wrote to
18 Intervenor, updating her on "Archives materials" and proposing
19 certain guidelines for the handling of those materials.

20 It was Intervenor who, in early 1981, ordered certain
21 biographical materials from "Controller Archives" to be
22 delivered to Defendant Armstrong. These materials consisted of
23 several letters written by Hubbard in the 1920's and 1930's,
24 Hubbard's Boy Scout books and materials, several old Hubbard
25 family photographs, a diary kept by Hubbard in his youth, and
26 several other items.

27 Defendant Armstrong received these materials upon the
28 order of Intervenor, following his letter of October 15, 1980,

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1 to her in which Defendant stated, at page 1, that there were
2 materials in the "Controller Archives" that would be helpful to
3 him in the biography research.

4 After these materials were delivered to Defendant
5 Armstrong, Intervenor was removed from her Scientology position
6 of Controller in 1981, presumably because of her conviction for
7 the felony of obstruction of justice in connection with the
8 theft of Scientology documents from various government offices
9 and agencies in Washington, D.C.

10 During the time Defendant Armstrong worked on the
11 biography project and acted as Hubbard Archivist, there was
12 never any mention that he was not to be dealing with Hubbard's
13 personal documents or that the delivery of those documents to
14 Mr. Garrison was not authorized.

15 For the first year or more of the Hubbard biography and
16 archive project, funding came from Hubbard's personal staff
17 unit at Gilman Hot Springs, California. In early 1981,
18 however, Defendant Armstrong's supervisor, Laurel Sullivan,
19 ordered him to request that funding come from what was known as
20 SEA Org Reserves. Approval for this change in funding came
21 from the SEA Org Reserves Chief and Watch Dog Committee, the
22 top Commodores Messenger Organization unit, who were Hubbard's
23 personal representatives.

24 From November of 1980 through 1981, Defendant Armstrong
25 worked closely with Mr. Garrison, assembling Hubbard's archives
26 into logical categories, copying them and arranging the copies
27 of the Archives materials into bound volumes. Defendant
28 Armstrong made two copies of almost all documents copied for

1 Mr. Garrison - one for Mr. Garrison and the other to remain in
2 Hubbard Archives for reference or recopying. Defendant
3 Armstrong created approximately 400 binders of documents. The
4 vast majority of the documents for Mr. Garrison came from
5 Hubbard's personal Archives, of which Defendant Armstrong was
6 in charge. Materials which came from other Archives, such as
7 the Controller Archives, were provided to Defendant Armstrong
8 by Scientology staff members who had these documents in their
9 care.

10 It was not until late 1981 that Plaintiff was to provide a
11 person to assist on the biography project by providing Mr.
12 Garrison with "Guardian Office" materials, otherwise described
13 as technical materials relating to the operation of
14 Scientology. The individual appointed for this task was Vaughn
15 Young. Controller Archives and Guardian Office Archives had no
16 connection to the Hubbard Archives, which Defendant Armstrong
17 created and maintained as Hubbard's personal materials.

18 In addition to the assemblage of Hubbard's Archives,
19 Defendant Armstrong worked continually on researching and
20 assembling materials concerning Hubbard by interviewing dozens
21 of individuals, including Hubbard's living aunt, uncle, and
22 four cousins. Defendant Armstrong did a genealogy study of
23 Hubbard's family and collected, assembled, and read hundreds of
24 thousands of pages of documentation in Hubbard's Archives.

25 During 1980 Defendant Armstrong remained convinced of
26 Hubbard's honesty and integrity and believed that the
27 representations he had made about himself in various
28 publications were truthful. Defendant Armstrong was devoted to

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1 Hubbard and was convinced that any information which he
2 discovered to be unflattering of Hubbard or contradictory to
3 what Hubbard has said about himself, was a lie being spread by
4 Hubbard's enemies. Even when Defendant Armstrong located
5 documents in Hubbard's Archives which indicated that
6 representations made by Hubbard and the Organization were
7 untrue, Defendant Armstrong would find some means to "explain
8 away" the contradictory information.

9 Slowly, however, throughout 1981, Defendant Armstrong
10 began to see that Hubbard and the Organization had continuously
11 lied about Hubbard's past, his credentials, and his
12 accomplishments. Defendant Armstrong believed, in good faith,
13 that the only means by which Scientology could succeed in what
14 Defendant Armstrong believed was its goal of creating an
15 ethical environment on earth, and the only way Hubbard could be
16 free of his critics, would be for Hubbard and the Organization
17 to discontinue the lies about Hubbard's past, his credentials,
18 and accomplishments. Defendant Armstrong resisted any public
19 relations piece or announcement about Hubbard which the L. Ron
20 Hubbard Public Relations Bureau proposed for publication which
21 was not factual. Defendant Armstrong attempted to change and
22 make accurate the various "about the author" sections in
23 Scientology books, and further, Defendant rewrote or critiqued
24 several of these and other publications for the L. Ron Hubbard
25 Public Relations Bureau and various Scientology Organizations.
26 Defendant Armstrong believed and desired that the Scientology
27 Organization and its leader discontinue the perpetration of the

28 /// -

1 massive fraud upon the innocent followers of Scientology, and
2 the public at large.

3 Because of Defendant Armstrong's actions, in late November
4 of 1981, Defendant was requested to come to Gilman Hot Springs
5 by Commodore Messenger Organization Executive, Cirrus Slevin.
6 Defendant Armstrong was ordered to undergo a "security check,"
7 which involved Defendant Armstrong's interrogation while
8 connected to a crude Scientology lie detector machine called an
9 E-meter.

10 The Organization wished to determine what materials
11 Defendant Armstrong had provided to Omar Garrison. Defendant
12 Armstrong was struck by the realization that the Organization
13 would not work with him to correct the numerous fraudulent
14 representations made to followers of Scientology and the public
15 about L. Ron Hubbard and the Organization itself. Defendant
16 Armstrong, who, for twelve years of his life, had placed his
17 complete and full trust in Mr. and Mrs. Hubbard and the
18 Scientology Organization, saw that his trust had no meaning and
19 that the massive frauds perpetrated about Hubbard's past,
20 credentials, and accomplishments would continue to be spread.

21 Less than three weeks before Defendant Armstrong left
22 Scientology, he wrote a letter to Cirrus Slevin on November 25,
23 1981, in which it is clear that his intentions in airing the
24 inaccuracies, falsehoods, and frauds regarding Hubbard were
25 done in good faith. In his letter he stated as follows:

26 "If we present inaccuracies, hyperbole
27 - or downright lies as fact or truth, it
28 doesn't matter what slant we give them, if

1 disproved the man will look, to outsiders
2 at least, like a charlatan. This is what
3 I'm trying to prevent and what I've been
4 working on the past year and a half.

5 . . .

6 "and that is why I said to Norman that
7 it is up to us to insure that everything
8 which goes out about LRM is one hundred
9 percent accurate. That is not to say that
10 opinions can't be voiced, they can. And
11 they can contain all the hype you want.
12 But they should not be construed as facts.
13 And anything stated as a fact should be
14 documentable.

15 "we are in a period when
16 'investigative reporting' is popular, and
17 when there is relatively easy access to
18 documentation on a person. We can't delude
19 ourselves I believe, if we want to gain
20 public acceptance and cause some betterment
21 in society, that we can get away with
22 statements, the validity of which we don't
23 know.

24 "The real disservice to LRM, and the
25 ultimate make-wrong is to go on assuming
26 that everything he's ever written or said
27 is one hundred percent accurate and publish
28 it as such without verifying it. I'm

1 talking here about biographical or
2 non-technical writings. This only leads,
3 should any of his statements turn out to be
4 inaccurate, to a make-wrong of him, and
5 consequently his technology.

6 "That's what I'm trying to remedy and
7 prevent.

8
9 "To say that LRM is not capable of
10 hype, errors or lies is certainly "sic! not
11 granting him much of a beingness. To
12 continue on with the line that he has never
13 erred nor lied is counterproductive. It is
14 an unreal attitude and too far removed from
15 both the reality and people in general that
16 it would widen public unacceptance.

17
18 "That is why I feel the
19 falsities must be corrected, and why we
20 must verify our facts and present them in a
21 favorable light."

22
23 The remainder of the letter contains examples of facts
24 about Hubbard which Defendant Armstrong found to be wholly
25 untrue or inaccurate and which were represented as true by the
26 Hubbards and the Scientology Organization.

27 In December of 1981 Defendant Armstrong made the decision
28 to leave the Church of Scientology. In order to continue in

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1 his commitment to Hubbard and Mr. Garrison in the biography
2 project, he copied a large quantity of documents, which Mr.
3 Garrison had requested or which would be useful to him for the
4 biography. Defendant Armstrong delivered all of this material
5 to Mr. Garrison the date he left the SEA Organization and kept
6 nothing in his possession.

7 Thereafter, Defendant Armstrong maintained friendly
8 relations with Hubbard's representatives by returning to the
9 Archives office and discussing the various categories of
10 materials. In fact on February 24, 1982, Defendant Armstrong
11 wrote to Vaughn Young, regarding certain materials Mr. Young
12 was unable to locate for Omar Garrison.

13 After this letter was written, Defendant Armstrong went to
14 the Archives office and located certain materials Mr. Garrison
15 had wanted which Hubbard representatives claimed they could not
16 locate.

17 At the time Defendant Armstrong left the SEA Organization,
18 he was disappointed with Scientology and Hubbard, and also felt
19 deceived by them. However, Defendant Armstrong felt he had no
20 enemies and felt no ill will toward anyone in the Organization
21 or Hubbard, but still believed that a truthful biography should
22 be written.

23 After leaving the SEA Organization, Defendant Armstrong
24 continued to assist Mr. Garrison with the Hubbard biography
25 project. In the spring of 1982, Defendant Armstrong at Mr.
26 Garrison's request, transcribed some of his interview tapes,
27 copied some of the documentation he had, and assembled several
28 more binders of copied materials. Defendant Armstrong also set

1 up shelves for Mr. Garrison for all the biography research
2 materials, worked on a cross-reference systems, and continued
3 to do library research for the biography.

4 On February 18, 1982, the Church of Scientology
5 International issued a "Suppressive Person Declare Gerry
6 Armstrong," which is an official Scientology document issued
7 against individuals who are considered as enemies of the
8 Organization. Said Suppressive Person Declare charged that
9 Defendant Armstrong had taken an unauthorized leave and that he
10 was spreading destructive rumors about Senior Scientologists.

11 Defendant Armstrong was unaware of said Suppressive Person
12 Declare until April of 1982. At that time a revised Declare
13 was issued on April 22, 1982. Said Declare charged Defendant
14 Armstrong with 18 different "Crimes and High Crimes and
15 Suppressive Acts Against the Church." The charges included
16 theft, juggling accounts, obtaining loans on money under false
17 pretenses, promulgating false information about the Church,
18 its founder, and members, and other untruthful allegations
19 designed to make Defendant Armstrong an appropriate subject of
20 the Scientology "Fair Game Doctrine." Said Doctrine allows any
21 suppressive person to be "tricked, cheated, lied to, sued, or
22 destroyed."

23 The second declare was issued shortly after Defendant
24 Armstrong attempted to sell photographs of his wedding on board
25 Hubbard's ship (in which Hubbard appears), and photographs
26 belonging to some of his friends, which also included photos of
27 L.R. Hubbard while in seclusion. Although Defendant Armstrong
28 delivered the photographs to a Virgil Wilhite for sale, he

1 never received payment or return of his friend's photographs.
2 When he became aware that the Church had these photographs, he
3 went to the Organization to request their return. A loud and
4 boisterous argument ensued, and he eventually was told to leave
5 the premises and get an attorney.

6 From his extensive knowledge of the covert and
7 intelligence operations carried out by the Church of
8 Scientology of California against its enemies (suppressive
9 persons), Defendant Armstrong became terrified and feared that --
10 his life and the life of his wife were in danger, and he also
11 feared he would be the target of costly and harassing lawsuits.
12 In addition, Mr. Garrison became afraid for the security of the
13 documents and believed that the intelligence network of the
14 Church of Scientology would break and enter his home to
15 retrieve them. Thus, Defendant Armstrong made copies of
16 certain documents for Mr. Garrison and maintained them in a
17 separate location.

18 It was thereafter, in the summer of 1982, that Defendant
19 Armstrong asked Mr. Garrison for copies of documents to use in
20 his defense and sent the documents to his attorneys, Michael
21 Flynn and Contos & Bunch.

22 After the within suit was filed on August 2, 1982,
23 Defendant Armstrong was the subject of harassment, including
24 being followed and surveilled by individuals who admitted
25 employment by Plaintiff; being assaulted by one of these
26 individuals; being struck bodily by a car driven by one of
27 these individuals; having two attempts made by said individuals
28 apparently to involve Defendant Armstrong in a freeway

1 automobile accident; having said individuals come onto
2 Defendant Armstrong's property, spy in his windows, create
3 disturbances, and upset his neighbors. During trial when it
4 appeared that Howard Schomer (a former Scientologist) might be
5 called as a defense witness, the Church engaged in a somewhat
6 sophisticated effort to suppress his testimony. It is not
7 clear how the Church became aware of defense intentions to call
8 Mr. Schomer as a witness, but it is abundantly clear they
9 sought to entice him back into the fold and prevent his
10 testimony.
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FIND A BETTER BASKET

A Literary Work Created and Written
by
GERALD ARMSTRONG

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FIND A BETTER BASKET

I, Gerald Armstrong, declare:

1. I am making this declaration in response to allegations made by Scientology organization leaders, attorneys and agents in court proceedings and public media around the world concerning a 1984 organization intelligence operation targeting me, which has been called the "Armstrong Operation." I am copyrighting this document prior to its use in court because it will, in addition to putting the organization's allegations into a proper context, form an outline for a screenplay I am writing. It is my story.

2. After I left the organization at the end of 1981, the organization intelligence bureau assigned Dan Sherman, a Los Angeles spy story writer and intel operative, to get close to me and become my friend, which he did. I had been the intelligence officer on board the "Apollo" with the organization's founder and supreme leader L. Ron Hubbard, had studied his intelligence policies and Guardian's Office^{1/} intelligence materials, had an

^{1/} The Guardian's Office ("GO"), headed from 1966 to 1981 by Mary Sue Hubbard, who reported to and was controlled by L. Ron Hubbard, consisted of five bureaus: Intelligence, Public Relations, Legal, Finance and Social Coordination (front groups). The GO was responsible for hiding its money and its actual command lines, defending the organization against attacks and for eliminating all opposition to its progress. Hubbard patterned its intelligence bureau, B-1, and the organization's total espionage mentality on the work of Reinhard Gehlen, Hitler's spy master. On Hubbard's orders, after the conviction of 11 top GO intelligence personnel, including Mary Sue, for criminal activities against the US Government, Scientology's second major arm of power, the Sea Organization, in a 1981 putsch took control of the GO's functions and subsequently renamed the GO arm the Office of Special Affairs, "OSA."

appreciation for that literary genre, and I was myself a writer, so Sherman and I had a real basis for a real friendship.

3. Sherman told me he was no longer involved in Scientology, wanted nothing to do with it, saw it as a personal waste of time, and also saw that its leaders were ruthless and dangerous, and claimed to be afraid of them finding out that he was friends with me. Sometime in 1982 or 1983 he told me that he was still in communication in a limited way with some of his old friends still in the organization. He described these friends as smart, reasonable and not fanatics. They were still Scientologists and worked on staff, but felt that organization leaders were criminals. Having no allegiance to these leaders, Sherman's friends would occasionally tell him about conditions inside and their desire to end the organization's criminal activities. They said the conditions inside were oppressive and chaotic and they were at risk even talking to him because sec checks² were rampant.

4. During the 1984 trial of the organization's case against me, Church of Scientology of California and Mary Sue Hubbard v. Gerald Armstrong, Los Angeles Superior Court no. C 420153 ("Armstrong I"), Sherman told me that one of these friends, whom he called "Joey," had told him that there was an

^{2/} Sec checks are accusatory interrogations using Hubbard's electropsychometer or E-Meter as a lie detector. Sec checks could be brutal, could go on for many hours or days, could involve several people asking questions, threatening and badgering, and could have disastrous results for the interrogee.

actual group inside the organization who were dedicated to reforming it because management had become suppressive. They called themselves the "Loyalists," claiming to be "loyal" to the preservation of the ideals of Scientology, "what worked." They also recognized that its leaders were criminal, crazy, dangerous, and not dedicated to those ideals but were acting to destroy them. The "Loyalists" wanted to take control in a well-planned, effective and peaceful action before some tragedy happened. They claimed to know of criminal activities and a key part of their plan was the documenting of these activities.

5. Sherman said they were 35 in number, or at least there were 35 who knew they were "Loyalists," all smart, reasonable and not fanatics. Some of them were his old friends from B-1. Such persons tended to be smart, reasonable and often were not fanatics. The people whom I knew to be, including Hubbard, the organization leaders, prided themselves on their recognition of unreasonableness as a virtue, and maintained an abiding fanaticism to justify their abuses and keep their positions of power. Sherman was smart and gave every appearance of being reasonable and unfanatical. He said the Loyalists knew he was in communication with me and wanted to talk with me but were afraid for their lives. This was not surprising to me because I knew from my own experiences that the organization had a brutal side and its leaders were dangerous, armed and desperate. Thus the first communications with the Loyalists were a few messages relayed by Sherman. They said that I had a proven record against

the organization, that my integrity had been unshakable and they wanted my help.

6. A few days after the Armstrong I trial ended, Joey, who, I later learned, was actually one David Kluge, made the first direct contact with me, a phone call to my home in Costa Mesa, California. He said the Loyalists knew I wanted my pc folders^{3/}, that my folders were being moved on a certain day and that I could get them if I wanted. I told Kluge that even though the folders were mine the organization would claim, if it was discovered I had them, that I was accepting stolen property, so I had to decline his offer. I was also already booked, on the same day the Loyalists said they would get me my pc folders, to fly to London to testify in a child custody case^{4/} involving

^{3/} Pc folders, also called preclear or auditing files or folders, contain the record of processes run and questions asked by the auditor (psychotherapist), E-Meter reads, and answers given and statements made by the preclear (or patient) during Scientology auditing (or psychotherapy) sessions. It was well known that I had opposed and exposed the organization's misuse of information divulged by the organization's "preclears" (what were essentially psychotherapist-patient confidences) in auditing. I had been attempting to get the organization to deliver to me my pc folders throughout the Armstrong I litigation, and the misuse of auditing information was an issue in the Armstrong I trial. Judge Paul G. Breckenridge, Jr. stated in his decision following the 30-day Armstrong I trial: "[Mary Sue Hubbard] was the head of the Guardian Office for years and among other things, authored the infamous order 'GO 121669' which directed culling of supposedly confidential P.C. files/folders for the purposes of internal security." "The practice of culling supposedly confidential 'P.C. folders or files' to obtain information for purposes of intimidation and/or harassment is repugnant and outrageous. The Guardian's Office, which plaintiff [Mary Sue Hubbard] headed, was no respecter of anyone's civil rights, particularly that of privacy."

^{4/} This Royal Courts of Justice case, known as Re: B and G

Scientology, and I told Kluge that I couldn't change my plans.

7. When I returned from the UK, where, incidentally, I had been harassed by a pack of English private investigators working for the organization, Kluge reestablished contact, and I communicated with him or Sherman several times over the next few months. I was happy to be in communication with them, because I'm happy to be in communication with anyone, and my relationship with the Loyalists, who were admitted Scientologists, seemed a spark of hope in the seemingly hopeless and threatening Scientology situation.

8. I have believed and stated that when Scientologists have the freedom to communicate to the people their leaders label "enemies," Scientology will cease to have enemies. The organization's leaders prohibit their minions from communicating with me, thus I am their enemy. This prohibition is enforced with severe "ethics" punishment, which could easily include "declaring" the person who dared to communicate with me a "suppressive" person, thus making him the target of the organization's philosophy and practice of opportunistic hatred Hubbard called "fair game."

9. I had lost my law office job because of the Armstrong I trial, which really ran from April into June, 1984, and I did not get another job for some months, so had considerable time on my

^{4/} (Continued) (Wards), resulted in a Judgment on July 23, 1984 issued by Justice Latey in favor of the non-Scientologist parent. The Judgement, which was upheld on appeal, contained a scathing condemnation of organization policies and practices.

hands in the fall of 1984 to meet with Sherman and the Loyalists and do some of the things they wanted. I had begun to draw and write seriously during this period, and some of my writings concerned the Scientology battle and the Loyalists. My situation with the organization and the Loyalists was bizarre and psychologically traumatic, and this is reflected in my writings of the period. Thanks to, I believe, my growing faith in God I was given the gift of a healthy sense of humor and that too is a facet of my communications and writings during the period.

10. In late July, 1984 the organization fed to the media the story, and filed papers in various court cases, including Armstrong I, charging, that Michael Flynn, who had fought the organization's fair game tactics for five years, who had been my friend and attorney for two years and had just successfully defended me in the Armstrong I trial, was behind a plot to cash a forged check for \$2,000,000.00 on one of Hubbard's accounts at the Bank of New England. Sherman and Kluge communicated that the Loyalists knew Flynn was not involved, and that the organization leaders knew Flynn was uninvolved but were framing him with the forgery. The Loyalists said that they were working inside the organization to acquire the proof of the frame-up, and that when they proved Flynn's innocence they would be in a position to effectuate the reforms they sought. This was fine with me, because I fully believed that Flynn was innocent, and that the organization was framing him just to be able to attack him to eliminate the threat he represented to its antisocial practices

and nature.

11. Over the next few months Sherman and Kluge communicated with me regularly about the Loyalists' progress in documenting the truth about the Flynn frame-up. They claimed that all staff were searched before they could leave OSA or management offices, so it was hard to get any documents out. Nevertheless, on a couple of occasions Sherman and Joey gave me a page or two that had been smuggled out. I learned that a US Attorney in Boston had become involved in the investigation of the frame-up, and I passed whatever I got from the Loyalists to him through Flynn.

12. One of the ideas which developed with the Loyalists in the early fall of 1984 was the possible filing of a lawsuit to take control of the organization from the "criminals." I saw this as an idea with merit, and could be the effective action the Loyalists said they were looking for to avert a major organization tragedy. I told Flynn what they wanted and he drafted a "bare bones" complaint which I passed to them. Sherman, Kluge and I discussed the lawsuit concept on several occasions, both of them asking me for my ideas and I helped as I could within the limits of my knowledge, ability and imagination.

13. The Loyalists then began discussing with me finding a financial "backer" for their lawsuit, basing this need on the likelihood that the bringing of the suit would freeze organization accounts, and the Loyalists would need operating capital. They claimed that the leaders had lots of money they had skimmed from the organization and squirreled away in their

own bank accounts, and the Loyalists were all staff members and thus broke. I couldn't help them with money, and knew of no one who might finance whatever they did, so they said that, because I understood the situation so well, and had a proven record, they wanted me to talk to and encourage some prospective backers with whom they were in touch. One day I got a call from Kluge, asking me to fly to Las Vegas to meet with such a person, a "rich Scientologist" who had been mistreated by the organization and was aligned with the Loyalists on their goal of reformation. Although on Kluge's instructions I purchased a plane ticket, I called off the trip before leaving because my lawyers warned me that I could be walking into a trap.

14. There were many times during this period when I considered the possibility that I was walking into a trap. The thought arose in all my meetings with Kluge, and later with Mike Rinder, the second Loyalist I would meet. Their communications often didn't jibe with what they or Sherman had said on earlier occasions, and sometimes they said things which were downright stupid. I had no way of originating a communication to them, had no telephone numbers, no locations, no names, and no idea what any of them did. They had my address, phone number, knew exactly what I did, and could call me any time they wanted. They told me almost nothing, and wanted to know everything I knew. They claimed I had to be kept in the dark because of their fear for their lives, and for that reason I went along with their, even to me, strange behavior.

15. Because of their fear for their lives they depended on secrecy, duplicity and intelligence procedures and goals. Although I had been in intelligence in the organization and had the essential quality for the field; i.e., native intelligence, I had, after leaving the organization, come to the conclusion that Scientology's brand of intelligence; i.e., the secret world of data, duplicity, stealth, hidden intentions and hidden identities, was ineffective, unhealthy, unholy, and not my choice for how I would make my way through life and deal with my problems. Even inside the organization, which is an intelligence-based group, I had urged those who were in positions to do something about it to open up, stop lying, disclose its leaders, divulge its secrets; because I felt that its lies, secrets, and secret orders from its secret leaders would only bring upon it more problems. After leaving the organization, a factor in my life which led to my faith in openness and freedom as opposed to secrecy and leverage, was all the testifying I did, in trial in Armstrong I and in B & G Wards, and in many days of depositions in several more Scientology-related cases. Also I knew that the organization's leaders, who had an undeniable determination to harm me, possessed my pc folders which contained every embarrassing incident or thought in my life, and my lives back umpteen impossibillion years. These facts had resulted in a tendency in me at times during this period to not care what happened to me and to act a little wild and silly.

16. Sometime during 1984 it came to me that what I was

following, and what was a far superior technology and faith than intelligence, or perhaps perfect intelligence, was guidance. I had been given, before and after my asking, a desire to know my Creator, and I believe I received during this period some of His communications to me. Hubbard in his writings put no faith in his Creator, but put it in something of his own making, an intelligence apparatus in which he was the secret leader with secret bank accounts, secret communication lines, secret codes, secret intentions, and secret lawyers to keep them all secret. I had come to know God a little, and understood that no matter how scary things got I was in hands in which I was in no real danger. I could be shot, my body could be destroyed, I could be defamed and ruined, and I would still be in no real danger. And things did get scary for me in my dealings with Sherman and the Loyalists during this period. I picked up surveillance on a number of occasions, and there was the nagging strangeness of the Loyalists' communications and the movie-like quality of this play in which I was being played with. I still retained my intellect and acted with good sense most of the time, but a shift was occurring in my mind and soul. I began to walk deliberately into danger, but I was also new at this approach to life, and as yet a little foolhardy and undisciplined, and these facts too are reflected in my writings and actions of the period.

17. Sherman's and Kluge's interest was intelligence and they didn't want to hear much of my philosophy of guidance, courage and openness, so I turned my mind to the intelligence

game, and as always happens when I turn my mind to any subject, I had ideas. Some of these ideas I communicated to the Loyalists, some I wrote down, some were only funny. Our meetings had a secretive, spy story feel to them, partly because of the danger the Loyalists said they were in and the danger I was in anyone would say, partly because of the subject matter we discussed, and partly because of the settings in which we met. Sherman insisted that I couldn't come to his home, so we met on many occasions in the bird sanctuary in Griffith Park. My first meeting with Kluge was in a cemetery in Glendale. I met him two more times in early November at different locations in Griffith Park, and then met with Rinder two times in late November at two more locations in the park.

18. Sherman told me around October, 1984 that the Loyalists had found a potential backer, a woman named Rene, another "rich Scientologist," who he said had been horribly hurt by the organization. He said he knew her personally and considered her a good and trusted friend. He said that she owned a publishing company which printed calendars, that he had told her about my artwork and writing, and that she wanted to see some of my materials for possible publication. Following our first meeting in Griffith Park Kluge took me to the Sheraton Grand Hotel in downtown Los Angeles to meet her. I took along a file of some of my work and left it with her. In my meeting with her she wanted to know my perspective on the lawsuit idea and my thoughts on removing the organization's criminal leadership.

19. While claiming that the Loyalists wanted to take legal action to bring about a safe transfer of power, both Sherman and Kluge also claimed that they didn't know anything about legal matters, nor any of the organization's litigations, and that there were other people higher up in the Loyalist network who were trained in legal, stayed abreast of the organization's litigation battles, and had an understanding of the Loyalists' legal options and an overview of their plan which Sherman and Kluge didn't have. Coupled with their claimed need to keep me in the dark for fear of their lives, their assertions of ignorance of legal matters caused considerable frustration in me and in our communications. As a result, I requested in a number of communications to speak to their "best legal mind."

20. Finally the Loyalists said that their legal expert would meet me and a rendezvous was set up, again in Griffith Park. The "legal expert" turned out to be Mike Rinder, a person I had known in the organization, who had held various lower level administrative posts. Rinder, it turned out, also professed ignorance of legal concepts, and my meetings and communications with him were even more frustrating.

21. Some time after my last meeting with Rinder, which occurred November 30, 1984, I received a phone call from Kluge, advising me that the Loyalists did not trust me and would not be communicating with me again. I then wrote them my final communication, a copy of which is appended hereto as Exhibit A, and gave it to Sherman to give to them.

22. During my cross-examination in the spring, 1985 trial of Julie Christofferson v. Scientology, Circuit Court of the State of Oregon, Multnomah County, No. A7704-05184, the organization broke the fact that Sherman, Kluge and Rinder had been covert operatives, the Loyalists were invented, and that my meetings with Kluge and Rinder had been videotaped. The organization called the whole more than two year affair the "Armstrong Operation." Organization lawyers, Earle Cooley and John Peterson, claimed the Armstrong operation had been authorized by the Los Angeles Police Department, and they produced a letter dated November 7, 1984, a copy of which is appended hereto as Exhibit B, signed by an officer Phillip Rodriguez, directing organization private investigator Eugene M. Ingram to electronically eavesdrop on me and Michael Flynn.

23. On April 23, 1985, Los Angeles Police Chief Darryl F. Gates issued a public statement, a copy of which is appended hereto as Exhibit C, denying that the Rodriguez letter was a correspondence from the Los Angeles Police Department, denying that the Los Angeles Police Department had cooperated with Ingram, and stating emphatically that all purported authorizations directed to Ingram by any member of the Los Angeles Police Department are invalid and unauthorized. On information and belief, the officer, Phillip Rodriguez, who signed Ingram's letter was paid \$10,000.00 for his signature. Also on information and belief, following a Los Angeles Police Department Internal Affairs Division investigation and a Police

Department Board of Rights, Officer Rodriguez was suspended from the Los Angeles Police Force. Eugene Ingram had himself some years before been drummed out of the Los Angeles Police Department. He is reputed to have been busted for pandering and taking payoffs from drug dealers. He is a liar and a bully who has been involved in organization intelligence operations against its perceived enemies for many years. During the period I was involved with the Loyalists Ingram called me at my home and threatened to put a bullet between my eyes.

24. Initially the presiding judge in the Christofferson trial Donald F. Londer refused to admit the tapes because they had been obtained illegally. Then he viewed them in chambers and when he returned to the bench stated that "the tapes are damaging, very damaging to the church." Then he admitted them into evidence.

25. Despite Judge Londer's ruling and comments, and despite Chief Gates' repudiation of the Rodriguez "authorization," the organization has continued in press and courts around the world to claim that the videotape operation was "police-sanctioned." The organization has continued to claim that I originated the "plot to overthrow "church" management" and that I initiated the contact with the organization members, who merely played along with my plan while remaining "loyal" to the organization. It also has continued to claim that the videotapes show me plotting to forge documents and seed them in organization files to be found in a raid, show me creating "sham lawsuits," show me urging

the Loyalists to not prove anything but "just allege it," and show me seeking to take control of the organization. The videotapes show none of those things. The tapes show that in the fall of 1984, during the reign of the organization's present supreme leader David Miscavige (DM), the fair game doctrine was alive and as unfair as ever. The tapes show a mean-spirited, mendacious and malevolent organization using well-drilled operatives and electronic gadgetry to attempt, unsuccessfully, to set up an unwitting, funny, sometimes silly, clearly helpful, at times foul-mouthed, but otherwise ordinary human male.

26. The organization's refusal to stop telling these lies is not surprising, however, because its leaders have put so many of their eggs in their dirty tricks basket. These leaders are unbalanced and in a very precarious situation. Having lied about the Armstrong Operation in so many courts and publications and to so many people, including their own followers, these leaders risk their positions of power, and in their minds their very lives, if they ever admit the breadth of those lies. Yet it is in the acknowledgement of the truth behind those lies where ultimately their safety will be found.

27. It has not ceased to be embarrassing to me whenever the organization trots out the Armstrong videotapes, because I do say some silly and raunchy things. But the organization has never been able to embarrass me into silence and it won't now.

28. The Scientology legal war has almost run its course. The organization's leaders can never rewrite all history.

Scientologists of good will everywhere can be free.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on February 20, 1994.

A handwritten signature in dark ink, consisting of a stylized 'G' followed by a large, loopy flourish that extends to the right and then loops back down.

GERALD ARMSTRONG

C

EUGENE M. INGRAM
INGRAM INVESTIGATIONS
California License Number AA9387
1212 North Vermont Avenue
Los Angeles, California 90029

November 7, 1984

To: EUGENE M. INGRAM, PRIVATE INVESTIGATOR

From: PHILLIP RODRIGUEZ, POLICE OFFICER, NORTHEAST DIVISION, CITY OF
LOS ANGELES

I hereby direct EUGENE M. INGRAM and his employees/agents or other persons acting under his direction, to intentionally and without the consent of all parties to a confidential communication, by means of any electronic amplifying or recording device, eavesdrop upon or record such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telegraph, telephone or other device, for the period November 7, 1984 thru November 14, 1984; provided however, that if recordings are accomplished on any day during the above period, EUGENE M. INGRAM is to report the results to me for further direction by me.

This authorization shall specifically pertain to the investigation of GERRY ARMSTRONG, MICHAEL J. FLYNN, AND OTHERS NOT KNOWN AT THIS TIME, regarding possible criminal violations of, but not limited to, California Penal Code §664 (Attempts), §134 (Preparing False Documentary Evidence), §182 (Conspiracy) and/or any other violations of criminal laws.

This authorization is in compliance with California Penal Code §633.

Signed in Los Angeles, California, on November 7, 1984.



OFFICER PHILLIP RODRIGUEZ
SERIAL NUMBER 16924
LOS ANGELES POLICE DEPARTMENT

EXHIBIT "A"

00059

April 23, 1985

PUBLIC ANNOUNCEMENT
BY
DARYL F. GATES
CHIEF OF POLICE, LOS ANGELES

It has come to my attention that a member of the L. A. P. D. very foolishly, without proper authorization and contrary to the policy of this Department, signed a letter to Eugene M. Ingram, believed to have been drafted by Ingram himself. The letter purports to authorize Ingram to engage in electronic eavesdropping. The letter, along with all the purported authorization, is invalid and is NOT a correspondence from the Los Angeles Police Department.

The Los Angeles Police Department has not cooperated with Eugene Ingram. It will be a cold day in hell when we do.

I have directed an official letter to Ingram informing him that the letter signed by Officer Phillip Rodriguez dated November 7, 1984, and all other letters of purported authorizations directed to him, signed by any member of the Los Angeles Police Department, are invalid and unauthorized.

Internal Affairs Division is now investigating the entire incident.



THIS IS TO CERTIFY THAT I HAVE EXAMINED THE ORIGINAL OF THIS DOCUMENT AND FIND THIS REPRODUCTION TO BE A TRUE COPY OF SAME, MADE WITHOUT ALTERATIONS OR ERASURES.

By Sgt. A. Hernandez 44828
RECORDS & IDENTIFICATION DIVISION
LOS ANGELES POLICE DEPARTMENT

Dated: 5-16-85

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES;

I am employed in the County of Los Angeles, state of California. I am over the age of eighteen (18) and not a party to the within action; my business address is: 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On March 9, 1994, I served the following document (s) described as:

DECLARATION OF GERALD ARMSTRONG RE: MOTION FOR COSTS

on interested parties in this action by placing the original X a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

- () (BY TELECOPIER) I caused such document to be faxed to the addressee.
- (X) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California.
- () (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the office of the addressee.
- (X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- () (FEDERAL) I declare that I am employed in the office of a member of this court at whose direction the service was made.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on this same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(X) I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on March 9, 1994, at Los Angeles, California.


(Signature)

SERVICE LIST

CHURCH OF SCIENCE AND HEALTH INTERNATIONAL V. STEVEN FISHMAN AND UWE GEERTZ

1
2 Robert Wiener, Esq.
3 Bowles & Moxon
4 6255 Sunset Blve., Suite 2000
5 Hollywood, California 90028
6
7 Jonathan W. Lubell, Esq.
8 MORRISON, COHEN, SINGER & WEINSTEIN
9 750 Lexington Avenue
10 New York, New York 10022
11
12 Mr. Steven Fishman
13 8851 Sunrise Lakes Blvd., #116
14 Sunrise, Florida 33322-1413
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DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I am over 18 years of age and a resident of the State of California. I have personal knowledge of the matters set forth herein and if called upon to testify thereto I competently would.

2. I am making this declaration in response to the Scientology organization's efforts to have part of the Court's file sealed in the case of Church of Scientology International v. Steven Fishman and Uwe Geertz, United States District Court for the Central District of California, Case No. 91-6426-HLH(Bx). It is my request that for the reasons set forth below no papers in that case be sealed.

3. One of the documents the organization seeks to seal is a declaration I executed on February 22, 1994 in response to falsehoods made about me and my experiences with the organization by its leader David Miscavige in his declaration executed February 8 and filed in the Fishman case. At paragraph 14 of my February 22 declaration I stated:

"I will also take the opportunity to advise this Court that Mr. Miscavige's organization considers that it has me under a contract whereby it may sue me for filing this declaration, not because it is untrue or libelous, but because that is what the organization insists its contract permits. This contract was obtained by Mr. Miscavige as the result of his organization's years of attack on my attorney Michael Flynn, as stated in paragraph 7 subparagraph h. above.

1

(24)

1 In order to get the organization to cease its fair game
2 against Mr. Flynn I had to sign its contract, which,
3 according to Mr. Miscavige, allows him and his agents
4 to say whatever they want about me in any court
5 proceeding or in the media and I may not respond. If I
6 do respond I become subject to a \$50,000.00 liquidated
7 damages provision for every utterance, and the target
8 in another Miscavige-ordered costly and harassing
9 lawsuit. The three lawsuits, Armstrong II, III and IV
10 described in paragraph 7, subparagraphs o, p and q, and
11 the contempt of court proceedings at subparagraph r,
12 are all pursuant to this contract. The contract is
13 against public policy and illegal."

14 A copy of the first page of the February 22 declaration, pages 12
15 and 13 which contain this quoted section, and the signature page
16 are appended hereto as Exhibit A.

17 4. On April 5, 1994 the organization did indeed amend its
18 complaint in Church of Scientology International v. Gerald
19 Armstrong, et al. Los Angeles Superior Court Case No. BC 052395
20 (Armstrong II) to add a cause of action for my providing the
21 February 22 declaration to attorneys for defendant Uwe Geertz in
22 order to correct the Miscavige falsehoods, and it did indeed
23 claim \$50,000.00 in liquidated damages and additional damages
24 which it states are incalculable. A copy of the face page of the
25 organization's Verified Second Amended Complaint for Damages and
26 for Preliminary and Permanent Injunctive Relief for Breach of
27 Contract, pages 25 and 26 which contain the cause of action
28 relating to my February 22 declaration, the signature page and

1 the verification page are appended hereto as Exhibit B.

2 5. On April 15, 1994 I filed a Second Amended Verified
3 Cross-Complaint for Abuse of Process in the case of Church of
4 Scientology International v. Gerald Armstrong, et al. Marin
5 County Superior Court Case No. 157680, which included in
6 paragraph 69 at page 24 the allegation that the organization's
7 claim of damages in Armstrong II for my February 22 declaration
8 response to Miscavige's falsehoods in Fishman was an act in
9 furtherance of its actual litigation motives of obstruction of
10 justice, suppression of evidence, assassination of my reputation,
11 use of the discovery process for gathering intelligence on its
12 enemies, and making an example of me to scare knowledgeable
13 witnesses into silence, which act constituted an abuse of
14 process. A copy of my second amended cross-complaint is appended
15 hereto as Exhibit C.

16 6. Since the organization has made my February 22
17 declaration the subject of its litigation in its unsealed
18 Armstrong II case it is inconsistent of the organization to seek
19 to seal the declaration in the Fishman case. Sealing the
20 declaration in one case when the organization will use it in
21 another case wherein the declaration will not be sealed will only
22 generate confusion; which is in fact the organization's purpose
23 in seeking to seal not only my declaration, but all the other
24 documents filed in Fishman as well. Pursuant to its policies to
25 "use the law to harass" the organization will then capitalize on
26 the confusion it has generated to further its attacks on its
27 fancied enemies.

28 7. The Scientology organization has since 1984 accused me

1 falsely of violating court sealing orders at least a dozen times,
2 including three attempts to have me found in contempt of court
3 for alleged violations which the organization fabricated.
4 Meanwhile the organization has itself refused to honor the same
5 sealing orders, and has used documents which it had itself had
6 sealed to attack me. Sealing documents at the insistence of this
7 organization only provides it with a mechanism to obstruct
8 justice and use our courts to wage an unjust war on its
9 designated enemies.

10 8. Appended hereto as Exhibit D is a copy of a declaration
11 I executed March 15, 1990 and filed in the California Court of
12 Appeal in support of a petition to be able to respond in an
13 appeal the organization had taken from an order of the Los
14 Angeles Superior Court unsealing that Court's file in the case of
15 Church of Scientology of California v. Gerald Armstrong, Case No.
16 C 420153 (Armstrong I). At paragraphs 20 through 24 and 26
17 through 39 I describe a series of affidavits executed by
18 organization personnel Kenneth Long and Sheila Chaleff which were
19 filed in 1987 in the case of Church of Scientology of California
20 v. Russell Miller & Penguin Books Limited in London, England in
21 the High Court of Justice, Case No. 6140. The organization
22 falsely accuses me in its affidavits, copies of which are
23 appended hereto as Exhibit E, of "knowingly violating several
24 court (sealing) orders."

25 9. I did not respond in the Miller case to the
26 organization's charges of sealing order violations because one of
27 its lawyers, Earle C. Cooley, had threatened through my attorney
28 Michael Flynn that I would be sued if I even talked to Mr.

1 Miller's or Penguin Books' lawyers (see paragraph 20 at page 9 of
2 my March 15, 1990 declaration, Exhibit D hereto). Following my
3 filing of the March 20, 1990 declaration in which I denied the
4 organization's charges the organization refused to change its
5 claim of sealing order violations. On December 25, 1990 I
6 executed a declaration, which was also filed in the Court of
7 Appeal, detailing the facts underlying the organization's charges
8 in the Long and Chaleff affidavits of sealing order violations
9 and refuting the charges. Paragraph 17 at page 10 of the
10 December 25, 1990 declaration, a copy of which is appended hereto
11 as Exhibit F, described Mr. Long's repetition of his sealing
12 order violation charges in a declaration he executed March 26,
13 1990, a copy of which is appended hereto as Exhibit G. Paragraph
14 20 at page 10 of the December 25, 1990 declaration details the
15 truth behind Mr. Long's false charges. Although the facts I give
16 in both the March 15 and December, 25, 1990 declarations have
17 remained unrefuted, the organization refuses to correct its false
18 charges against me in its declarations and affidavits. That is
19 unsurprising, however, because one of its purposes in litigation
20 is to generate as much confusion as possible. In the area of
21 what is or is not sealed or unsealed or has or has not been
22 sealed when in what court where it is particularly easy for
23 confusion to be generated and false charges of violations to be
24 made, and the Scientology organization has taken great advantage
25 of that fact and great advantage of the inclination of the courts
26 of this country to treat the organization with the same respect
27 given to honest parties who lack its determination to subvert
28 justice.

1 10. In paragraph 25 at page 10 of my March 15, 1990
2 declaration (exhibit D hereto) I list ten documents which Mr.
3 Long had appended as exhibits to his affidavit of October 5,
4 1987, all of which had been part of the record in the Armstrong I
5 case which the organization had insisted be sealed as a condition
6 of settlement of the case. The organization, while making false
7 allegations of sealing order violations or even manufacturing
8 "violations" in order to make its charges, simply will not
9 respect any court's sealing order itself if it will gain some
10 advantage by violating such order.

11 11. Appended hereto as Exhibit H is a copy of a document
12 published and distributed by the organization entitled "'Factnet"
13 - Perversions, Criminality and Lies." On information and belief
14 this document was ordered, written and ordered disseminated by
15 David Miscavige. It is an example of what L. Ron Hubbard, the
16 organization's leader before Miscavige, called "black propaganda"
17 or "black PR," which he defined as "spreading lies by hidden
18 sources," or "a covert attack on the reputation of a person,
19 company or nation using slander and lies in order to weaken or
20 destroy." At page 3 and 4 of this publication is a section
21 devoted to me. It is almost all lies and clearly libelous. It
22 includes the description of a dream I had and was inspired to
23 write down. Organization covert operatives stole my writing and
24 filed it in the Armstrong I case. The dream is insignificant
25 because it was only a dream. What has become significant about
26 it is its misuse and perversion pursuant to the organization's
27 black PR and fair game policies. The writing was specifically
28 sealed in Armstrong I. The Armstrong I trial judge, Honorable

1 Paul G. Breckenridge, Jr. stated at page 12 of his decision of
2 June 20, 1984, a copy of which is attached hereto as Exhibit I,
3 that the organization's intelligence, legal and public relations
4 arm "was no respecter of anyone's civil rights, particularly that
5 of privacy." The same is true in 1994, and for that reason too
6 the organization's efforts to seal the declarations of its
7 "enemies," when it will itself use whatever is sealed to abuse
8 those people should be rejected. The Breckenridge decision was
9 affirmed on appeal on July 29, 1991, Church of Scientology of
10 California v. Armstrong, 232 Cal. App. 3d 1060, 283 Cal. Rptr.
11 917.

12 12. On September 11, 1991 the organization filed a motion
13 to seal the record on appeal in Armstrong, supported by a
14 declaration of Kenneth Long executed September 10, 1991 in which
15 he falsely claimed that a lengthy list of documents in the
16 appellate record, plus the trial transcript had been sealed
17 throughout the Armstrong I litigation and should therefore be
18 sealed again to preserve the organization's "property and privacy
19 interests." The organization's motion and the supporting Long
20 declaration are appended hereto as Exhibit J.

21 13. Appended hereto as Exhibit K is my opposition to the
22 organization's motion to seal the record on appeal and my
23 declaration in support thereof executed October 16, 1991. I
24 point out in the opposition and declaration that the documents
25 and trial transcript the organization was seeking to have sealed
26 in the appellate record were, contrary to the organization's
27 claim, public documents which had been widely disseminated
28 because of the great public interest in them, and that sealing

1 the record would be senseless. The same is true regarding the
2 documents, in addition to my February 22, 1994 declaration, which
3 the organization seeks to have sealed in Fishman. I myself have
4 received a copy of two full file boxes of these documents, and
5 had already given them to yet another person for copying for
6 himself and others, again because of the great public interest in
7 these materials, long before I learned of the organization's
8 attempt to have them sealed.

9 14. Appended hereto as Exhibit L is a copy of the
10 California Court of Appeal's denial of the organization's motion
11 to seal the record dated December 5, 1991.

12 15. Appended hereto as Exhibit M is page 15 of the
13 organization's second amended complaint in Armstrong II (see also
14 Exhibit B hereto). At paragraph 61 the organization alleges that
15 I have violated its "settlement agreement" by failing to return
16 two documents. This is untrue. Both of these documents I
17 obtained years after the 1986 settlement, and both are public
18 documents. One of the documents the organization publishes to
19 this day in its books. This allegation is significant, however,
20 because it shows the sort of liberties the organization will take
21 with the truth to be able to allege any sort of "violation" by
22 its "enemies."

23 16. Appended hereto as Exhibit N is page 17 of the
24 organization's second amended complaint in Armstrong II (see also
25 Exhibit B hereto). At paragraph 72 the organization alleges that
26 I have violated a sealing order in Armstrong I by authenticating
27 a portion of a transcript. This is untrue. There never was such
28 a sealing order. The transcript was disseminated to countless

1 people around the world, and is widely available. Again it shows
2 the abuse this organization make of any sealing order, real or
3 not, and the confusion it will generate with its allegations of
4 violations.

5 17. Judge Breckenridge declared in 1984:

6 "In addition to violating and abusing its own
7 members civil rights, the organization over the years
8 with its "Fair Game" doctrine has harassed and abused
9 those persons not in the [organization] whom it
10 perceives as enemies. The organization clearly is
11 schizophrenic and paranoid, and this bizarre
12 combination seems to be a reflection of its founder
13 LRH. The evidence portrays a man who has been
14 virtually a pathological liar when it comes to his
15 history, background and achievements." (Exhibit I
16 hereto)

17 The organization desperately seeks to rewrite its dark history,
18 just as Hubbard sought to rewrite his. It uses its schizophrenia
19 to deliberately forget the facts and truth so that it can
20 continue to madly attack its imagined enemies. It
21 compartmentalizes its monolithic organizational-self in its group
22 mind to support its schizophrenia. It has its various entities
23 and mouthpieces appear in court as it suits its purposes to make
24 its mad allegations and give plausibility to its denials of its
25 victims' allegations. Our courts should not support the
26 organization's efforts to rewrite history, but should act to
27 restrain its autogenetic madness.

28 18. At page 23 of my opposition to the organization's

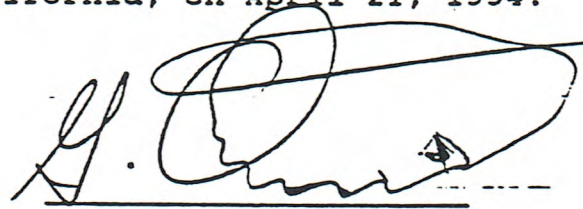
1 motion to seal the record on appeal in Armstrong I (Exhibit K
2 hereto) I stated that:

3 "This Court has a golden opportunity in this
4 matter to send the message to (the organization) to
5 cause them to abandon their hope of enlisting the
6 assistance of the judiciary to hide their past and
7 confuse the truth, and to place their hope for a
8 peaceful future in openness, not secrecy."

9 The same is true today in whatever the Courts do in the Fishman
10 case. But add too the protection of those people who have the
11 courage to come forward, stand up to this organization and say
12 some of what they know. Do not leave them even more exposed to
13 the organization's malevolence than they are already by sealing
14 their words.

15 I declare under the penalty of perjury under the laws
16 of the State of California that the foregoing is true and
17 correct.

18 Executed at San Anselmo, California, on April 21, 1994.

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22 GERALD ARMSTRONG
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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,

Plaintiff,

v. No. BC-052395

GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California corporation, DOES 1
through 25, inclusive,
Defendants.
-----/
and related cross actions.
-----/

DEPOSITION OF GERALD ARMSTRONG
Volume VI - Pages 625 through 752
THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 Q. Which conspiracy are you referring
2 to?

3 A. The conspiracy that you've alleged
4 that Gerald Armstrong conspired to do these things
5 and to, you know, all of the conspiracies that
6 you've alleged that I'm involved in which have a
7 different motivation and a different purpose.

8 Your organization has alleged that I
9 did these things for -- that my intent was to
10 defraud your organization and to stop you from
11 collecting these things, and that I conspired to
12 breach the settlement. It's all erroneous. It's
13 all an illusion. And the truth is so
14 overwhelming.

15 Q. When you spoke to Mr. Sine about
16 these matters that you've just testified about,
17 you necessarily discussed with him your background
18 with the Church of Scientology, did you not?

19 A. It seems likely. It's not new ground
20 and there's not anything that I would have
21 withheld from him in that regard, and I have no
22 recollection of not telling him some thing that he
23 asked.

24 Q. Well, he asked you when you joined
25 the church, didn't he?

1 A. He may have. I don't -- I don't
2 know. I would tell him.

3 Q. Well, this interview was fairly
4 recently, was it?

5 MR. GREENE: Wait a minute, that's
6 asked and answered.

7 MR. HERTZBERG: Q. Are you saying
8 you don't have a specific recollection of
9 discussing with Mr. Sine or Mr. Sine asking you
10 questions about your involvement with the Church
11 of Scientology when you were a member of the
12 Church of Scientology?

13 A. Well, you know, let me say this, it
14 was known that I was a member, or had been, and
15 it's very likely that he asked something to
16 confirm that factor.

17 But he knew my history by the time I
18 arrived, we arrived together, and my history was
19 not the thrust of his story.

20 But if he had -- if he had asked, and
21 my recollection is he, you know, probably did, I
22 would have told him to the depth of what I thought
23 that he was looking for.

24 We moved, I think, rather rapidly.
25 He didn't have any time to burn. You know, he

1 was --

2 Q. He had an hour, at least, to spend
3 with you?

4 A. Could have been, it could have been
5 an hour, but it was, you know, quick. And it
6 could have been less than an hour.

7 Q. Mr. Armstrong --

8 MR. GREENE: Excuse me just a second.
9 I just want to talk to my client just a second. I
10 don't need to go out of the room. Hold on for
11 just a second.

12 (Discussion off the record.)

13 MR. HERTZBERG: Are you ready to
14 proceed?

15 MR. GREENE: I am.

16 MR. HERTZBERG: Q. Mr. Armstrong,
17 during this meeting with Mr. Sine, you didn't tell
18 him that there was anything that you would not
19 discuss with him about your history with the
20 Church of Scientology, did you?

21 A. The subject may have come up.

22 Q. Do you have a recollection as you sit
23 here today of telling Mr. Sine at any time during
24 that meeting/interview that there was any matter
25 involving or any matter relating to your

1 involvement with the Church of Scientology that
2 you would not discuss with him for any reason?

3 A. I would not have said it like that.

4 Q. I don't want you to speculate as to
5 what you would or would not have said.

6 Do you, sitting here today, have a
7 recollection of communicating the substance of
8 what I posed in my question to Mr. Sine?

9 A. I -- no.

10 Q. And, in fact, Mr. Sine asked you
11 questions, regardless of what background
12 information he had about you, he asked you
13 questions regarding your involvement with the
14 Church of Scientology while you were a member of
15 the church, did he not?

16 A. He could have.

17 Q. Is it your testimony that you do not
18 recall one way or the other, is that your
19 testimony?

20 A. Yeah, I do not know if he asked me
21 any question about my involvement when I was
22 inside the organization.

23 Q. Okay. Regardless of whether you can
24 recall whether he asked you any such question, can
25 you recall whether you spoke to him at any point

1 during that meeting about your involvement with
2 the Church of Scientology when you were a member?

3 A. My recollection is that the subject
4 came up.

5 Q. Now, you testified that you gave Mr.
6 Sine a copy of "I Declare."

7 A. Yes.

8 Q. What is "I Declare"?

9 A. "I Declare" is a declaration which I
10 wrote in January of 1994.

11 Q. And when you say a declaration, do
12 you mean, are you using the word declaration as
13 lawyers use it for the equivalent of an affidavit
14 or other sworn statement?

15 A. Broadly, yes.

16 Q. Yes?

17 A. And it has that form, yes.

18 Q. So it's sworn to under oath?

19 A. Right.

20 Q. Penalty of perjury?

21 A. Right.

22 Q. And what was the subject matter of "I
23 Declare"?

24 A. It was in response to the allegations
25 in the Armstrong IV complaint.

1 an attorney in what you call the Armstrong IV
2 case. And therefore I'm not aware of whether the
3 document you call "I Declare" is something that
4 has been publicly filed or not. You're saying
5 that --

6 A. Oh, okay, yes, it has.

7 Q. You also said that you spoke to Mr.
8 Sine about the circumstances of the 1990
9 renunciation?

10 A. Right.

11 Q. All right. What do you mean when you
12 refer to the 1990 renunciation?

13 A. This is a time and an act, or series
14 of acts, by me in August of 1990 in which I
15 transferred, gave away, relinquished control of
16 certain assets and forgave debts that were owed
17 me.

18 Q. And you also have testified that you
19 spoke to Mr. Sine about the settlement contract
20 in -- I believe, the settlement contract being an
21 exhibit in this case -- you entered into an
22 agreement with --

23 A. Yes.

24 Q. -- various Church of Scientology
25 entities?

1 A. Yes.

2 MR. HERTZBERG: Off the record for
3 one moment.

4 (Off the record.)

5 MR. HERTZBERG: Let's go back on the
6 record.

7 Q. Mr. Armstrong, just so the record is
8 clear, the settlement agreement that I'm referring
9 to and I believe you're referring to is a document
10 which has been previously marked as Exhibit 6 to
11 this deposition; is that correct?

12 A. Right.

13 Q. Now, you said that in the course of
14 discussing the settlement agreement with Mr. Sine
15 you spoke about various aspects of it and also
16 including where you were with regard to that.

17 What is it exactly that you discussed
18 with Mr. Sine about Exhibit 6?

19 A. Yeah, I think that your preamble
20 there was in error, and I'm not going to adopt
21 that.

22 But I did -- my recollection is that
23 he was aware of the fact that what underlay the
24 Armstrong IV complaint were claims of breaches of
25 these -- of the settlement agreement on which the

PACIFIC SUN
Marin County, CA
29 June 94

Circ 39,000

Gagged again

Weird twist in Scientology lawsuit

BY RICK SINE

Gerald Armstrong of San Anselmo says God told him to give away everything he owns. Now Scientology wants the courts to force him to take it all back.

The next installment of a bizarre and byzantine legal war between Armstrong, a disillusioned ex-archivist for Scientology founder L. Ron Hubbard, and the quasi-religious organization is scheduled for a trial in Marin Superior Court in September.

The Marin case was spurred by Armstrong's decision in 1990 to take a vow of poverty, having asked God for guidance after Iraq invaded Kuwait. His most valuable possession at the time was a \$500,000 house on the ridge above Sleepy Hollow in San Anselmo, which he gave away to a former lawyer.

But Scientology believes that Armstrong is really just hiding his property until the legal heat is off.

The organization is suing in Marin to force Armstrong to take the property back—so that Scientology can get the property if it wins a separate lawsuit against Armstrong.

That second lawsuit, scheduled for a Los Angeles trial in November, arises from an earlier stage in the legal battle. It all started when Armstrong left Scientology in 1981, when he says he learned many of Hubbard's claims about his past were patently false. Scientology then sued

employees had spied on him and even ran him down in a car.

In 1984 a Los Angeles judge ruled that Armstrong had the right to take the documents. The judge labelled Hubbard "virtually a pathological liar" and ruled that the organization "harassed and abused those persons...whom it perceived as enemies." That decision was later affirmed on appeal. Two years later, Armstrong won \$300,000 in the settlement of the countersuit. He built the San Anselmo house with part of the settlement money.

But the settlement had a nasty clause: It gagged Armstrong from saying anything to anyone outside his immediate family about his 17 years of dealings with Scientology. Now Scientology is suing Armstrong again, claiming that he has spoken out on numerous occasions, violating the settlement. Andrew Wilson, Scientology's lawyer, says his client will probably go after well over \$1 million.

"Basically, they want fifty thousand dollars every time I say the word 'Scientology,'" Gerald Armstrong told the Sun. "My talking to you, that's fifty thousand dollars." Armstrong does not

continued on page 6

**"They want
\$50,000 every time
I say the word
'scientology.'"**

Armstrong, claiming he stole some of his own biographical research that he had turned over to his lawyer. Armstrong sued back, claiming in court documents that after his defection Scientology

continued from page 5

deny that he's removed the gag several times. He also says he found it impossible to lead a normal life without discussing his past with friends and others.

Armstrong began aggressively violating the settlement early in 1990—before giving away his property—by defending himself in Scientology's failed appeal of the 1984 decision. In court documents, Armstrong has said that he took this aggressive approach only because Scientology continued to attack him through false affidavits and negative publicity. Since then, Armstrong has spilled the beans about Scientology to a *Newsweek* reporter. He's even begun working as a paralegal for his attorney, San Anselmo cult-buster Ford Greene.

Greene has claimed in repeated lawsuits that Armstrong was manipulated into the settlement by his attorney at the time, Michael Flynn, who also received money in the settlement for his own separate claim. Armstrong has declared in those same lawsuits that he reluctantly signed the settlement when Flynn told him that some 20 other anti-Scientology claimants were depending on him to sign. Furthermore, Armstrong has declared that Flynn told him the gag provisions were unenforceable, "not worth the paper they're printed on."

In court, Greene is arguing that the gag provision violates "public policy" by suppressing damaging facts about Scientology. But personally he is appalled by the notion that litigants can agree to zip up their traps as one of the stipulations of a settlement.

"The climate politically and judicially that we live in now in this country is so pro-business and so pro-money that those small persons who have voices that aren't backed by millions of dollars can be silenced. It's rude, and it's certainly anathema to the principles and rationale that underlie First Amendment free speech rights."

Scientology lawyer Andrew Wilson said Armstrong's claims of harassment by the religious group are "delusional" and "paranoid." And Wilson is little moved by Greene's conviction that justice is going to the highest bidder. "Gerald Armstrong sold those precious First Amendment rights that he now exalts. He sold out for thirty pieces of silver—eight hundred thousand dollars. Now he says, 'Oh no, I shouldn't have been allowed to do that....I want to keep the money and shoot my mouth off.' And there are cases that say you can contract away your First Amendment rights. I can make a deal with anybody I want not to say anything about it, and they can pay me. I gotta keep that deal."

Armstrong says that Scientology has "no prayer before any jury in this country of obtaining a judgment against me," because he believes the religious organization didn't keep that deal itself.

Even so, selling your rights to free speech may prove to be legal. In 1992 a Los Angeles judge handed down an injunction that allowed Armstrong to respond to a subpoena but kept him essentially gagged. Last month a state appellate court upheld that injunction. The matter finally will be settled in the November trial in Los Angeles.

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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
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GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California corporation, DOES 1
through 25, inclusive,
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-----/
and related cross actions.
-----/

DEPOSITION OF GERALD ARMSTRONG
Volume VI - Pages 625 through 752
THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 which he later mentioned upon receipt of my
2 documents was a passing thought, wasn't what he
3 was going to cover.

4 Q. Leaving aside your editorial comments
5 about the Breckenridge decision and the meaning
6 that it has in your life and your recollection of
7 what his main interest was, I'm asking you a
8 specific question about a conversation which you
9 have testified occurred within the last several
10 weeks.

11 Did the topic of your involvement
12 with the church come up at all in either of your
13 or any of your conversations with Mr. Cusick, yes
14 or no?

15 A. I would say yes.

16 Q. And what is your best recollection of
17 what was discussed in that vein?

18 A. That I had been interviewed by Mike
19 Wallace for the 60 Minutes show; that I didn't
20 know where copies of it might be; that there had
21 been, I understood, although I don't think I'd
22 ever seen any of the documents relating to this,
23 that there had been litigation involving CBS and
24 Scientology.

25 That, oh, yeah, he asked about there

1 being any conspiracy with Michea Flynn. I think
2 he'd spoken to Moraynus, Allen Moraynus, the
3 producer of the second 60 Minute show. Now,
4 that's where the subject of Breckenridge did come
5 up. Because I remember that in my case
6 Scientology had, I believe -- although I may not
7 have said this to him -- my recollection is now
8 that they attempted to accuse Judge Breckenridge
9 as a result of his communications with Allen
10 Moraynus at the time, and those communications
11 were minimal, or were answering some kind of
12 general question without getting into the guts of
13 the Armstrong I litigation, but that.

14 And I had a recollection of
15 Scientology making allegations of some conspiracy
16 between, I think, Flynn and Moraynus or something
17 like that. And that he had this information. And
18 I think at most acknowledging that I had heard the
19 same thing or knew of the same thing.

20 Q. Do you recall any other aspect of
21 this discussion regarding Judge Breckenridge?

22 A. No.

23 Q. What was your knowledge of the
24 contact between 60 Minutes and Judge Breckenridge?

25 A. Well, I saw a document about it at

PacificSun

THE NORTH BAY'S BEST EVERY WEEK

San Francisco, CA

JULY 13 - JULY 19, 1994

Letters

Alleged gagee

A couple of gaffes in "Gagged Again," (June 29, 1994). I guess, being the alleged gagee, I get to expurgate.

1. The L.A. judge in 1992 enjoined me only from "voluntarily assisting any person intending to make a claim, or litigating a claim" against the Scientology organization. He refused the organization's gargantuan effort to gag me. Many of people who have been defrauded or abused by Scientology and have legitimate claims against the organization, and most of this country's lawyers who ought to press their claims, have been intimidated out of litigating those claims, so I have rarely had to consider violating the injunction to help them. Everyone else I help with impunity.

2. Rick Sine omits a few good facts when he says that I gave away the Sleepy Hollow house to a former lawyer. The man is a longtime friend and has never been a former lawyer. We bought the house together, were both on title, and I simply transferred to him my interest. He has a family and should, as should everyone else, have a house.

3. What God actually said to me was, "Keep nothing. Give what you have to the poor. Take only what you need." That's what I did. There's nothing strange in that message, because God says exactly that to everyone. The only reason the leaders of Scientology don't believe the message is because they don't believe in God.

Gerry Armstrong
San Anselmo

Another sniveler

Wow! I'm impressed with the complexity of your article, "Gagged Again." How confusing! I'm really not sure what the beef is.

Mr. Armstrong sounds like a snivelling little boy who got found out for doing something illegal or unethical. Instead of taking responsibility for his "actions" he is "targeting" Hubbard and his very well-organized philosophy, Scientology.

As for Scientology, I've been impressed by what I see and read of its members' actual application of it. Those I know are professionals from all walks of life and as a medical person I consider many as colleagues or friends. I'm in the business of getting people off drugs so Hubbard's research and drug-rehab programs interest me. We need more organizations like this so people can learn how to apply an ethical approach to their daily living and activities! That's what's really lacking.

With poorly researched and slanted journalism by all media on anything truly workable, it's a wonder the human race still walks upright. Mr. Armstrong you may have fooled the reporter, but you don't fool me!

Claudia Y. O'Flynn, R.N.
Petaluma

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
Not-for-Profit Religious)
Corporation,)
Plaintiff,)
vs.)
GERALD ARMSTRONG; THE GERALD)
ARMSTRONG CORPORATION, a)
California Corporation; Does 1-25)
inclusive,)
Defendants.)

Case No. BC-052395

CERTIFIED
COPY

DEPOSITION OF GERALD ARMSTRONG

Volume VIII

Pages 946 - 1063

THURSDAY, OCTOBER 20, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

1 Q. For the relevant time period, did you have
2 any communications with Richard Behar?

3 A. No.

4 Q. For the relevant time period, did you have
5 any communications of any kind with any other -- with any
6 persons who you understood to be representatives of the
7 media other than those persons you have already identified
8 in your testimony?

9 A. Yes.

10 Q. With whom?

11 A. There is an individual by the name of Tom
12 Voltz, V-o-l-t-z, I believe, from Switzerland who has
13 Vaughn Young. I think that's all.

14 Q. For whom does Mr. Voltz work, so far as you
15 know?

16 A. He has represented himself to me to be a
17 writer working on a book.

18 Q. Did you first contact Mr. Voltz or did Mr.
19 Voltz first contact you?

20 A. He contacted me.

21 Q. Do you know approximately when that occurred?

22 A. Perhaps two months ago.

23 Q. Did Mr. Voltz contact you orally or in
24 writing?

25 A. I think it was in -- I think it was orally.

1 Q. Did he see you in person or speak to you on
2 the telephone?

3 A. We've never met. He called.

4 Q. Have you had more than one conversation with
5 Mr. Voltz?

6 A. Yes.

7 Q. On the occasion of the first conversation,
8 what did Mr. Voltz say to you and what did you say to him
9 as best you recall?

10 A. He told me that he was writing a book. He
11 told me that he is a former Scientologist. He told me
12 that he was involved in some way, which I do not
13 specifically recall, in an ownership matter of the
14 personality test used by the Scientology organization.

15 He wanted to know if I could help him
16 regarding certain areas of interest or investigation in
17 his book.

18 Subsequently, he faxed me a document or faxed
19 me a letter which mentioned a number of areas of interest.

20 Q. I understand now, I think, that those were
21 Mr. Voltz's communications to you in that first
22 conversation.

23 What did you say in response?

24 A. I said that in certain areas I may be able to
25 help him. And that's about what I -- what I recall. I

1 don't recall if he had an interest in -- he knew of me
2 already, but I don't know if he had an interest beyond
3 that or if he asked me anything.

4 Q. Do you recall what areas you told Mr. Voltz
5 that you might be able to help him in?

6 A. No.

7 Q. You have no recollection at all?

8 A. No.

9 Q. Did you tell him you might be able to help
10 him with his book?

11 A. Not in the sense that I had certain documents
12 which may help him, but I did not discuss actually helping
13 him and his book. He had an interest in certain areas.

14 Q. Did you inform him that you had certain
15 documents which might be helpful to him for his book?

16 A. I believe so.

17 Q. Did you subsequently send those documents to
18 him?

19 A. I sent certain documents to him.

20 Q. What were those documents?

21 A. They were -- the ones that I recall
22 specifically were Hubbard naval records, VA records and
23 naval records.

24 Q. Do you remember any -- go ahead.

25 A. I have a vague recollection of sending him

1 the Breckenridge decision and possibly the opinion of the
2 Court of Appeal.

3 Q. Anything else that you sent him that you can
4 recall?

5 A. Not that I can recall right now.

6 Q. Where did you receive the naval records that
7 you sent to Mr. Voltz for his book?

8 A. They were part of my deposition in the
9 Corydon case and I had them from that time. That's the
10 source of them. Beyond that, I have something of an
11 understanding of the sequence of events.

12 Q. In your --

13 A. As far as source of them, they originally
14 came from --

15 Q. I think I understand your answer. You're
16 saying that the copies that you sent to Mr. Voltz derived
17 exclusively from exhibits to the Corydon deposition?

18 A. Right.

19 Q. Is it your testimony that you had no other
20 copies of naval records from any other source?

21 A. Although I may have naval records from some
22 other source, and I don't presently have a recollection of
23 such a set of any others, the ones that I sent to him all
24 came from that, from my deposition in Corydon.

25 Q. When you say may have some naval records from

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

--oOo--

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
Not-For-Profit Religious)
Corporation,)

Plaintiff,)

vs.)

Case No. BC-052395

GERALD ARMSTRONG, THE GERALD)
ARMSTRONG CORPORATION, a)
California Corporation, Does 1-25,)
inclusive,)

Defendants.)

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By:

Rosalie E. Stefani
CSR No. 3215

1 night three additional names, media persons, whom you had
2 contact with regarding Scientology between March of 1993
3 to the present?

4 A. Uh-huh.

5 Q. Can you tell me who those persons are?

6 A. One was a Jennifer Cone, and she is at the
7 Recorder in San Francisco. And one -- I don't recall the
8 name of the interviewer, but it was a radio show called
9 Word-FM out of Pittsburgh. And another was a -- my
10 recollection of the spelling is M-a-s-h-a-w, last name
11 Nix, N-i-x. I think that's it, Mashaw Nix.

12 Q. Who is that, a man or a woman?

13 A. It's a woman.

14 Q. And what media was she affiliated with?

15 A. She said that she was with Disney.

16 Q. Disney what?

17 A. That she was with -- I think the Disney
18 channel. So she was doing a television show called "You
19 Be The Judge," and she invited me to be on You Be The
20 Judge.

21 Q. When did that invitation come?

22 A. Yesterday.

23 Q. And have you accepted?

24 A. No.

25 Q. Did you decline?

1 A. Yes.

2 Q. Did you discuss the subject of Scientology
3 with Mashaw Nix?

4 A. Yes.

5 Q. And what did you say to her with respect to
6 that subject?

7 A. I said that I had been inside the
8 organization and that I had worked with Hubbard and that
9 the subject that she was interested in was -- I thought
10 was not appropriate and not really related to the sort of
11 information which I have and which my history with
12 Scientology, which is more litigation intensive, that that
13 was really it, but she was not particularly interested in
14 my history and did not pursue it.

15 Q. What subject did Miss Nix tell you that she
16 was interested in?

17 A. She was interested in what she called the
18 -- the Presley-Jackson union.

19 Q. Did you discuss anything else with Miss Nix
20 about your experience with Scientology other than what you
21 have just testified to?

22 A. There was a -- I mentioned the period that
23 I was involved and the period in which I worked with
24 Hubbard and -- and the fact that I had done the research
25 for the -- for the biography.

February 1, 1995

Nancy O'Meara
Church of Scientology International
6331 Hollywood Boulevard, Suite 1200
Los Angeles, CA 90028

Dear Ms. O'Meara:

I am in receipt of your press release entitled "Judge Orders
Marin Man to Pay Church of Scientology \$100,000 in Damages."

Although there are many things in your press release which
will be shown in due time to be untrue and malicious, there is
one particularly mean fallacy that I want you to immediately
correct in a follow-up writing to each and every person, company,
organization or group to whom your release was transmitted.

You claim at para. 3 that "In the agreement he signed in
1986 Armstrong promised to refrain from spreading falsehoods
about the Church. According to documents filed in this case,
Armstrong is accused of having knowingly violated that agreement
on a number of occasions as early as 1991."

The "agreement" does not contain a promise to refrain from
spreading falsehoods about Scientology. I have never spread
falsehoods about Scientology, but have told the truth, so there
are no falsehoods to refrain from spreading.

The reason I will continue to tell the truth is stated in my
declaration which accompanies this letter. It is because I filed
this declaration late, and for no other reason, that Judge Thomas
assessed sanctions against me.

What Scientology is doing with me is suppressive, and
threatening to justice, wisdom and innocent people everywhere. I
will continue to stand my ground and I refuse to be suppressed.

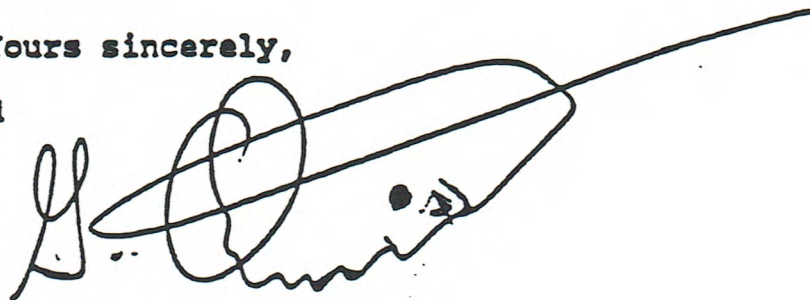
I trust you will read these materials, and welcome your
response. As long as I breathe I will continue to do what I see
as God's will, and continue to bring Scientology's evil nature to
the light of truth.

I accept the opportunity to be the target of your fair game
policy and so bring it and your organization's secret dark core
closer to their end.

Please correct your press release.

Yours sincerely,

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450
cc: Media

A large, stylized handwritten signature, likely of Gerald Armstrong, written in black ink. The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

March 21, 1995

Laurie J. Bartilson
Moxon & Bartilson
8285 Sunset Boulevard, Suite 2000
Los Angeles, CA 90028

By Fax
213-953-3351

Andrew H. Wilson, Esquire
Wilson, Ryan & Campilongo
115 Sansome Street, Suite 400
San Francisco, CA 94104

By Fax
415-954-0938

Re: Scientology v. Armstrong
Marin County Superior Court
Case No. 157680

Dear Ms. Bartilson and Mr. Wilson:

Due to a spiritual condition which I am unable to control resulting in a psychological incapacitation I cannot proceed with the deposition set for tomorrow and the deposition of Gerald Solfin set for March 23.

Please contact me in a few days to see if these depositions can be rescheduled.

Thank you for your consideration.

Yours sincerely,

A large, stylized handwritten signature, likely of Gerald Armstrong, written in black ink. The signature is fluid and somewhat abstract, with a long horizontal line extending to the right.

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8480

cc: Michael L. Walton, Esquire (by Fax)
William R. Benz, Esquire (by Fax)
Gerald Solfin (by Fax)

From netcom.com!ix.netcom.com!howland.reston.ans.net!news2.near.net!news.delphi.com!usenet Wed A
pr 5 08:15:24 1995
Xref: netcom.com alt.religion.scientology:51148
Path: netcom.com!ix.netcom.com!howland.reston.ans.net!news2.near.net!news.delphi.com!usenet
From: Bob Penny <bobpenny@delphi.com>
Newsgroups: alt.religion.scientology
Subject: Gerald Armstrong message to a.r.s.
Date: Wed, 5 Apr 95 00:13:39 -0500
Organization: Delphi (info@delphi.com email, 800-695-4005 voice)
Lines: 422
Message-ID: <x44cgYD.bobpenny@delphi.com>
NNTP-Posting-Host: bosld.delphi.com

This text is by Gerald Armstrong.
This introduction is by Bob Penny.

The attention of many people has been captured recently by the obvious injustice of Scientology's actions toward Dennis Erlich and Netcom, by the cult's attempt to suppress free speech on the Internet. I'm afraid some people consider this extraordinary and worthy of special concern, a special threat to our First Amendment freedoms. It is not. Dennis' case just shows, yet again, what Scientology is really all about. If anything is surprising or extraordinary, it is the moral cowardice of so many people which has created an environment in which Scientology expects to get away with such things and much, much more.

And the situation is much worse. Anyone can understand an attempt to suppress free speech. Anyone can understand fraud and a Mafia-like criminal organization. That is the LEAST of the dangers of Scientology. The real danger is represented by the "Free Zone," by cowardly "New Age" refusal to grow up and face facts. Scientology is not good tech misused by a bad organization. It is no "tech" at all. It is people compromising their integrity in favor of wishful thinking. It is, like the "psychic friends network" and other nonsense (for entertainment purposes only, must be 18 years of age), a deliberate attempt to obscure the difference between sense and nonsense whether for financial gain or merely in support of one's pet ideas or friends.

Many of us have kids. It MATTERS whether drugs are "just another lifestyle choice." It MATTERS whether skinheads and neo-Nazis are "just another lifestyle choice." It MATTERS whether safe sex and AIDS are "just another lifestyle choice." It MATTERS whether cults are "just another lifestyle choice." The difference between sense and nonsense MATTERS. It is vitally important that we teach our kids.

This is the real meaning of Dennis Erlich's inFormer headline:
SCIENTOLOGY IS CHILD ABUSE.

Now I will shut up and present Gerry Armstrong's text which was the inspiration for what I just wrote. He said he didn't mind if I did an introduction, "after all, I'm fair game." But obviously, he is not responsible for my tirade.

=====

April 4, 1995

To good hearts everywhere:

Re: Scientology v. Gerald Armstrong
Marin County Superior Court
Case No. 157680

Dear Friend:

Thank you for this opportunity to tell you about my case.

I am sending versions of this letter to my friends around the world and other people to whom I've been led who may have an interest or be able to help.

I do not have a lawyer, I'm not a lawyer, not trained, unfinanced, and have a May 18, 1995 trial date. I have immediate costs in the case which I am unable to bear myself. I am hoping that there are people of good will who see value and probity in my case and are in a position to help, I am a Christian. I believe my litigation is ultimately between the light and freedom of God and the dark nature of the spiritually enslaved.

The litigation story is long and much more complex and convoluted than what I will provide at this point. I have well-organized case files and documentation if an attorney or law firm has an interest in becoming further involved. I refer in this letter to a number of documents, (A) through (Q), which I am not sending with this letter, but which I will forward to anyone interested upon request.

I was inside Scientology from 1969 through 1981, worked most of those years with its leader L. Ron Hubbard, held positions in the organization's intelligence, legal and public relations bureaus, and during the last two years did the research for a biography of Hubbard. I left the organization at the end of 1981 with a knowledge of massive fraud, of its antisocial core nature, its criminal intelligence operations against labelled enemies, and its victimization of its own members.

I had the good fortune to be deprogrammed while still inside Scientology by my study of its own documents and Hubbard's personal archive. It has come to me gradually, but clearly that I was guided throughout my Scientology experience and life by God, and that, although it is not understandable to some people and often viewed as corny, I have been given a purpose by Him for His Glory.

After I left, and because of the threat it considered my knowledge, Scientology declared me "fair game," and has harassed me pursuant to its fair game policy ever since, Hubbard's "fair game" policy calls for people targeted as "enemies" to be "deprived of property or injured by any means by any Scientologist tricked, sued or lied to or destroyed."

The organization sued me in 1982 (Scientology v. Armstrong, Los Angeles Superior Court No. C 420158), and I filed a cross-complaint for fraud and intentional infliction of emotional distress. Scientology's suit against me, in which I was represented by another major target of fair game, Boston attorney Michael Flynn, went to trial in 1984 and resulted in the famous and internationally cited decision of Judge Paul G. Breckenridge, Jr. (A)

Scientology continued its fair game operations against Flynn and me until December, 1988 when he and the organization arranged a "global settlement," which included the settling of the lawsuits of his approximately fifteen anti-Scientology litigant clients, payments to several witnesses without lawsuits, and settling of his own cases against Scientology.

The "agreements" each of the "settling" people signed contained clauses requiring silence concerning their experiences in and knowledge of the Scientology and a \$50,000 "liquidated damages" penalty for any statement made about such experiences or knowledge. Flynn and the other lawyers involved also signed "agreements" to not represent or assist anyone, including their own settling clients, in future litigation involving Scientology.

Before I saw or knew of the "settlement agreement" I was to sign I had agreed to a monetary figure for the dismissal of my cross-complaint. And although I was shocked and heartsick when I read the "settlement agreement" Flynn presented to me for signing, I did sign it for these reasons:

1. I was positioned in the global settlement as a deal- breaker, on whom all the other settling people depended to have Scientology cease its fair game attacks and threats on them.

2. Flynn claimed that Scientology had tried to assassinate him, had ruined his marriage, sued him thirteen or more times, threatened his family and career; and he was desperate to get out of the litigation. I had worked with him in Boston in 1985 and 1986 and was personally aware of fair game attacks on him.

3. Flynn stated to me that the non-disclosure conditions, which I protested as being impossible to perform since they covered then 17 years of my life, were "not worth the paper they're printed on;" that I couldn't "contract away my Constitutional rights."

4. Flynn said that "global settlement" and the "agreements" were necessary to give Scientology the opportunity it said it wanted to clean up its bad acts and cease fair game. I understood forgiveness and wanted to forgive everyone involved.

5. I felt abandoned by Flynn, who had been my attorney, employer and good friend; I was isolated and heartbroken. Flynn had lost heart.

6. I was already beginning to sense that my life was guided by God, and I accepted the fact that if I was later attacked by Scientology, or in all things, I would try to do what I was called to do. I had a glimpse at the time of the settlement that some time in the future I might be alone but for Him.

The "agreement" I signed (B) also allowed Scientology to maintain its appeal from the Breckenridge decision, required that I not oppose the appeal or any subsequent appeals, and required my delivery to Scientology of all evidence or Scientology-related materials assembled in my case.

There is no doubt that I had been profoundly affected by my years in Scientology and my years under attack after I left. Nevertheless, following the settlement I got on with my life, wrote, drew, took up running and took care of my deteriorated health. Scientology, however, could not leave me alone, but took the opportunity to continue its fair game, publishing attacks on my character, filing false affidavits about me in court, and threatening me with lawsuits if I responded. The organization, through the silencing of knowledgeable witnesses, and the intimidation and silencing of knowledgeable attorneys, was attempting to rewrite the Breckenridge decision, and history, both its and mine.

Although saddened by the attacks and threats I did nothing until the fall of 1989 when, following a series of threatening calls from a Scientology lawyer, it became clear to me that my silence was being used to obstruct justice and hurt other victims of the organization. After researching my rights and responsibilities, the first action I took was to file a petition in the Court of Appeal for permission to respond in the appeal from the Breckenridge decision. My petition was granted, I filed a respondent's brief, and the decision was affirmed in 1991. *Scientology v. Armstrong* (1991) 232 Cal.App.3d 1060, 289 Cal.Rptr.917. (C)

I wrote two declarations, executed March 15, 1990 and December 25, 1990 detailing Scientology's post-settlement acts, and filed them in the Court of Appeal in the organization's appeal from the Breckenridge decision. (D and E)

In August, 1990, at the time of Iraq's invasion of Kuwait and the US buildup in Desert Shield, I prayed to God for guidance in the distress I felt in these events and the general human condition. The answer I received was to give away my worldly wealth and take only what I needed. After pondering this message I conveyed my interest in a house I owned at the time and forgave all debts owed to me.

My description of these events and my spiritual understanding and development at the time are contained in a declaration I executed in 1994. (F) I wrote this declaration to be filed in a "fraudulent conveyance" lawsuit Scientology filed against me in 1993 (Marin Superior Court No. 157680) in which the organization claimed that my renunciation was for the purpose of rendering myself judgment-proof.

Following my renunciation it came to me that I would go wherever in life my help was asked for, and I have tried to do that, under God's guidance, ever since. While in Canada in June, 1991 I received a call from a man in South Africa who was involved in litigation with Scientology and who said that he had not found anyone else in the world willing to testify about the organization's nature and practices. I did go to South Africa, but did not testify because the trial was postponed.

In the same period I received another call for help from a former Scientology attorney, Joseph Yanny of Los Angeles, who had left the organization's employ and become a target of its "fair game." (F contains this history in detail)

When I returned to the US in August, 1991 I was asked for help by attorney Ford Greene of San Anselmo who was involved in Scientology litigation and desperately needed the kind of help I could give to survive. I've worked as his sole office support ever since. I have also since then been the target of Scientology's litigation machine and a massive campaign of what it calls "black propaganda" to destroy my credibility.

Scientology brought a motion to enforce the settlement agreement in October, 1991 in LA Superior Court, which was denied. In February, 1992 it then filed a breach of contract lawsuit in Marin Superior Court, *Scientology v. Armstrong*, No. 152229. This case was transferred to Los Angeles and given number BC 052395. (G is Scientology's second amended complaint; H is my answer)

Scientology brought a motion for a preliminary injunction which was granted in part May 28, 1992, prohibiting me from assisting

claimants against Scientology, but denying the motion as to all other prohibitions in the settlement agreement. I appealed (I is my opening brief) and May 16, 1994 the court of Appeal affirmed (J) the preliminary injunction although declining to address the legality of the underlying settlement agreement.

From 1992 through July, 1994 Scientology tried very hard to have me found in contempt of court and jailed for what it claimed were violations of the preliminary injunction. All of the claimed violations, some of which were manufactured by Scientology, were discharged after an evidentiary hearing July 28, 1994 by Los Angeles Superior Court Judge Diane Wayne. (K)

Scientology filed two more lawsuits in July, 1993, Los Angeles Superior Court No. BC 084842, another breach of contract case, and Marin Superior Court No. 157680, the fraudulent conveyance case. All three cases have now been consolidated in Marin with one number 157680.

The organization brought a motion for summary adjudication of three causes of action, which was granted as to two, this past January 27. (L) I sensed even before losing the motion that my attorney Ford Greene wanted out of the case, and following the ruling he let me know and then substituted out. There is much more to the circumstances of our relationship and his representation of me, but essentially he lost heart. (M is my opposition to the summary adjudication motion) Ford's main approach in the opposition was that I was permitted to file the subject declarations and make the public statements, which Scientology claimed were breaches of the settlement agreement, by the "absolute" litigant's privilege.

Because Ford was unable to find someone else to do the paralegal work in his office I continued as his assistant, but that has now changed because I cannot at this time both work full time for him and do the work necessary in my case. Scientology has filed two more massive motions for summary adjudication, my oppositions to which must be filed by April 7. (N is Scientology's motion seeking a permanent injunction, O is the order Scientology proposes) Two of the "breaches" on which Scientology bases this motion are for an "interview planned but prevented" by Scientology at KFAX in Northern California, and an "interview" not prevented on WORD Radio, Pittsburgh, Pennsylvania, two Christian stations.

Needing to survive in life, I recently approached the two major beneficiaries of my 1990 renunciation, my friends Michael Walton and Michael Douglas, to ask for a loan. Both of them, and their respective wives, however, have also lost heart, are frightened by Scientology, and said they would not support my cause in any way. Michael Douglas said that he had been contacted by Scientology and told that if he even loaned me a small amount of money they would cause him trouble, and he and his wife were afraid that meant being sued.

Throughout the post-settlement period I've stayed in touch with Michael Flynn, my attorney, long time friend, and central figure in the circumstances prior to and during the settlement, but he too has been intimidated. He says that although he views Scientology as evil he has a contract with it which prevents him from helping me in any way, and he believes that the courts cannot deal with the organization's abuse of the system.

In this past month, Scientology has sought to overwhelm me with mountains of legal paper, court demands and deadlines, and with

threat, betrayal, exhaustion, loneliness and hopelessness. It has engaged me in a spiritual battle, wherein, while I was almost destroyed, I was permitted to confront raw evil and given the opportunity to triumph for all the good hearts everywhere. I have spent much of this period in prayer, looking to God as my only source of strength and hope. I believe He has drawn me to Him through this crisis and through the removal of all other sources of support, and I seek with all my heart to do His Will.

Also during this period, it has become clear to me what the issues and true defense are in this case. It is a religious liberty case. What Scientology is seeking to have the courts order is in violation of and barred by both the Establishment and Free Exercise Clauses of the First Amendment.

What if an individual who was a member of a Christian church had been declared by the "church" leaders "fair game;" if these leaders had carried out a public campaign to assassinate his reputation; if he had been assaulted by private investigators hired by the "church's" board of directors; if an attempt was made to involve him in a highway "accident," if he had been spied on and harassed for weeks on end by these private investigators; if the contents and substance of his "confessions" or pastoral counseling had been divulged publicly and used against him; if he had been sued by the "church;" if the "church" had filed false criminal charges against him and attempted to have him jailed; if "church" officials had attempted to entrap him; if the officials had secretly and illegally videotaped him; and so forth?

And what if the member had sued the "church" and the "leader" for the emotional distress resulting from these torts and abuses? All of the acts listed in the preceding paragraph were carried out by Scientology against me and formed the basis of my cross-complaint.

Is it conceivable that as a condition of settlement of the Christian church member's lawsuit he must remain silent about his religious experiences, about Christ, Christianity, the Bible, God? Is it conceivable that the member could be compelled to pay \$50,000 each time he thereafter said anything about his religion, Christ, Christianity, the Bible or God? Is it conceivable that a court in this country could order the member jailed if he communicated about these things? Is it conceivable that the church member could not even discuss with other Christians their experiences of Christianity; and is it conceivable that he could be penalized \$80,000 and jailed for each time he discussed the experiences of other Christians with them? Is it conceivable that in the face of continuing attacks by the Christian "church" leaders after the "settlement" the member must still remain silent about his "religion" and his "religious experiences?"

No Christian church would consider imposing such conditions in a "settlement." No court would consider enforcing such conditions against a Christian. Why then do courts enforce such conditions at the insistence of Scientology against people it has abused? The answer is that our courts are often deceived, confused and blinded by evil, and as a result give evil favorable, special treatment; and to the detriment of goodness and justice.

Scientology is anti-Christian and anti-God. It professes in its publications to the uninitiated and the media to accept Christians and to acknowledge Jesus Christ. Inside the organization, however, it "preaches" that Christ and God are "implants," false

ideas electronically installed in humans to effectuate their control. It claims that Scientology is the only way for freeing people from the enslavement of the Christian Church. (P and Q are two "bulletins" by Hubbard which vilify the Church, Christ, God and mock the Holy Scriptures) Anyone inside the organization who considered Christ, the Holy Spirit or God real, who prayed, or believed God played any part in his or her life, was considered "psychotic" and "dramatizing" an implant.

In this aspect of his "theology" Hubbard blasphemes the Holy Spirit, the one unforgivable sin. People drawn into Scientology and brought to this blasphemy are in grave spiritual danger. Mark, 3:29. I believe I cannot, under this nation's Constitution, be prevented by "contract" from speaking the truth about the danger of Scientology to those who wish to talk to me.

I believe that the subject settlement agreement is evil, that honoring it does no one any good, and that having it adjudged illegal will free not only me but many others now and in the future.

I believe I should affirm that although I have been troubled, and have been led along a strange life path, I am not crazy and I am not obsessed with Scientology. I have talents and a life beyond my battle with Scientology, and I pray for an end to the conflict, and the peace and time to pursue other things.

I also believe I should profess that I do not think I am special or sinless. I am a very imperfect vessel. I have a human nature and have done many foolish, human things, but I have also been saved by God's Grace from all that.

Scientology is a pernicious, neo-Satanic cult waging a "religious war" to crush my religious and other human rights, and the rights of anyone else it sees as an obstacle on its road to total power. I am asking for financial, legal and spiritual support to win this war.

Please forward this letter to anyone you think is appropriate.

I am grateful for any help of any kind anyone can give, and I welcome all calls.

Thank you again.

Yours faithfully,

Gerry Armstrong
715 Sir Francis Drake Boulevard
San Anselme, CA 94980
Phone & Fax (415) 456-8450

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On April 26, 1995, I served the foregoing document described as DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF CHURCH OF SCIENTOLOGY INTERNATIONAL'S MOTION FOR RELIEF FROM STAY on interested parties in this action,

[] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [] the original [X] true copies thereof in sealed envelopes addressed as follows:

GERALD ARMSTRONG
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

Jeffrey G. Locke, Trustee
P.O. Box 488
Kentfield, CA 94914-0488

[X] BY MAIL

[] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on April 26, 1995, at Los Angeles, California.

[] **(BY PERSONAL SERVICE) I delivered such envelopes by hand to the offices of the addressees.

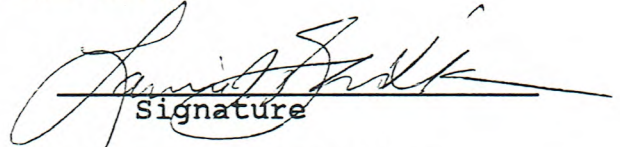
Executed on April 26, 1995, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie Bardison

Print or Type Name



Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)